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# THE TEACHING OF THE PRE-PAULINE CHURCH IN THE DEAD SEA SCROLLS

(Continued from Vol. III—No. 3)

## II. THE DOCTRINE OF THE DEAD SEA SCROLLS

It is necessary, for a proper understanding of the doctrine of the Dead Sea Scrolls, first to determine the sphere of thought with which it is concerned. Nothing would appear to be more obvious than this preliminary step—but, strangely, most scholars engaged in the study of the Scrolls have omitted it and have gone astray in propounding hypotheses about the origin and character of the Scrolls in terms which are absent from, and indeed utterly foreign to, them. Such hypotheses are purely imaginary. There is in the Scrolls no trace of preoccupation with political or social events or movements; even the author of the Habakkuk Scroll, who describes the Roman power, is marked by an attitude of indifference to its political aspects. The Romans (*Kittî'im*) loom ominously in the background, they are abhorred as the personification of evil, but they do not interfere within the sphere which is the direct concern of the author of the Scroll. Nor is there in any of the Scrolls the slightest reference to any other political power, Jewish or Gentile, royal or sacerdotal. The Scrolls display no interest whatsoever in politics or history, and all the hypotheses about the Scrolls that have been formulated in terms of politics or history (Hasmonean High Priests, Judean Kings, Roman conquerors) are entirely off the mark. The authors of such hypotheses have arbitrarily chosen certain sets of historical events and connected them with selected passages of the Scrolls, despite the fact that such passages have not the remotest relation to any politico-historical event.

The proper sphere of the Scrolls is purely that of religion; their exclusive concern is with the moral and spiritual life, and understanding of their doctrine can be achieved only by treating them as documents of religious thought. The main exposition of the doctrine of the Scrolls is contained in the passages of the Discipline Scroll which I have translated and annotated in the previous section; and the contents of these passages will have revealed the intricate complexity of that doctrine. This complexity is due to the variety of strains of thought of which the doctrine is compounded, and our first task is to separate these strains from each other. Two such strains, representing two different levels of thought, are of the utmost importance. The first refers to the actual moral and spiritual life of man, as it is now and will be, until the Last Judgment; it may best be described as the "historical



level." The other represents a vision of the future, the aspiration towards an ideal, the moral and spiritual life as it will be after the Last Judgment; it may be termed "the eschatological level." The distinction between the two levels is clearly marked in the Discipline Scroll by its description of the "historical level" as being dominated by the "Spirit of Truth," the "Helper," sent by God to man to assist him in his struggle against the "Spirit of Evil or Deceit"; and by its description of the "eschatological level" as being dominated by the "Holy Spirit" which will cleanse man's "flesh" from evil.<sup>1</sup> It will be convenient, therefore, to deal separately with these two "levels."

### 1. THE "HISTORICAL LEVEL"

The most characteristic feature of the moral doctrine of the Discipline Scroll on the "historical level" is the assertion that the spiritual nature of man consists of an unceasing struggle between "good" and "evil." It is within man's "heart" that the combat between the "Spirit of Truth or Light" and that of "Evil or Darkness" takes place<sup>2</sup>—the combat is in the sphere of "anthropology," not "cosmology." This point needs stressing in view of the suggestion made by some scholars that the combat between the "Spirit of Light" and that of "Darkness," as described in the Scroll, is related to the teachings of Zoroastrianism.<sup>3</sup> The inspiration of the author of the Scroll is, in fact, biblical. We read in Ps. xliii, 3, *שלח-אורך ואמתך המה ינחוני* ("Oh send out thy light and thy truth; let them lead me"); and this invocation is preceded in v, 1, by the cry for help: *מגוי לא-חסיד מאיש מרמה ועולה תפלמני* ("Oh deliver me from the wicked [ungodly] people, from the deceitful and iniquitous man"). This psalm is thus a prayer to God to deliver man's soul, through His light and truth, from the power of "evil" and "deceit."<sup>4</sup> It presupposes, therefore, that there is a struggle for dominion over man between "light and truth" and "deceit and iniquity"—a conception which coincides thus far with that of the Scroll. But it is significant that, according to the latter, the invocation or prayer of Ps. xliii, has already been fulfilled. God's "light and truth" have already been sent to the succour of man in the shape of the "Angel of Truth," who is "the Helper of all the children of Light."<sup>5</sup> Fulfilment or realisation of scriptural passages is, in fact, a prominent feature of the Dead Sea Scrolls.<sup>6</sup>

What then, are the respective functions of the two spirits, Truth

<sup>1</sup> See DSD, iv, 2ff.; 20ff., and the translation above, pp. 112ff., 115.

<sup>2</sup> *Ibidem*.

<sup>3</sup> See, for example, BROWNEE and K. G. KUHN, *Zeits. f. Theol. u. Kirche*, xlix (1952).

<sup>4</sup> *מגוי לא-חסיד וגו'* is parallel to *מאיש מרמה ועולה*. These expressions refer, I suggest, to "powers of evil," not to the personal or political enemies of the author of the psalm.

<sup>5</sup> Plate III, 24-25.

<sup>6</sup> See n. 2 on p. 113.

and Evil, and in what manner is their working in man's heart conceived in the Scroll? We touch here upon the essential aspect of the moral doctrine of the Scrolls. The "spirit of truth" is not regarded as one virtue among man's other virtues or moral qualities, nor the "Spirit of Evil" as one vice among man's other vices. On the contrary, each of these spirits is conceived as, in its proper sphere, a principle from which all virtues and vices respectively derive, or rather, a principle which invests the whole of man and communicates to his entire moral behaviour a special quality. Each spirit is within its own sphere a dynamic spiritual force of which the particular virtues or vices are the concrete manifestations or aspects. How can the "working" of these spirits be more precisely described? If we read the "catalogue" of virtues which are described in the Discipline Scroll as the products or "fruits" of the "Spirit of Truth," we cannot fail to distinguish at once two types: one comprising virtues which may be termed, for convenience' sake, social, such as "love" and "charity"; the other comprising virtues of self-effacement, such as "meekness and patience." These two types of virtues are, in fact, two aspects of the one basic moral attitude which raises man's feelings and actions to the highest supra-individual level and suppresses his "private" individual interests and propensities. The morality produced by the "Spirit of Truth" is thus, briefly, altruism, or a life entirely devoted to the service of others. Such life is "holiness"; and it is characteristic of the teaching of the Scroll that it insists, not only on "courage and perseverance" but on "domination" of the sexual passion as an indispensable means of attaining the moral ideal.

The fruits of the "Spirit of Evil" represent the exact negatives of those of the "Spirit of Truth." They all stem from one basic attitude, which may be termed egotism; and it is again characteristic that unbridled sexual passion is considered the mainspring of egotistic behaviour. That is, to conclude, the doctrine of the Scroll concerning the contending spirits in man's heart is a conception of man's moral and spiritual life as an unceasing struggle between altruism and egotism.

Clarification of the main concepts of the Scrolls opens the way to an understanding of its idea of how the highest moral ideal can be realised in life. This idea stems directly from the fundamental assumption concerning the presence in man's "heart" of the "Spirit of Truth"—the dynamic principle of altruism. The moral and spiritual ideal propounded by the Scroll is accordingly not one of self-perfection of the individual, whether through the attainment of an inner harmony of mind and body (reason and emotion), or through the imposition of a rule of life based on reason—the two types of individual self-perfection which, for brevity's sake, may be described as the Greek moral ideals.



The ideal of the Scroll is, on the contrary, an activity in all spheres of life, inspired and directed by love and charity towards one's fellow-men, coupled with a constant striving for abnegation and self-effacement. Altruistic behaviour achieves the realisation of moral and spiritual values that alone are objectively and universally true. For actions accomplished in charity, through the promptings of the "Spirit of Truth" that is present in every man's "heart," are altruistic in the sense that they are equally valid for everybody and, thus, objectively true. The "Spirit of Truth" is the principle of an objective and universally valid morality.

Since, according to the ethical doctrine of the Scroll, man cannot achieve the moral and spiritual ideal within the sphere of individual self, even communion with God, within this sphere, would be only the exaltation of the individual self. Indeed, according to the Scroll, communion with God can be achieved only through life in the "Spirit of Truth"—God's angel, that is to say—which is life, to some degree, in God himself; and life in the "Spirit of Truth" means the actual exercise of altruism and charity on a supra-individual, indeed anti-individual, level. These presuppositions lead directly to a measure of realisation of the highest ideal. It is in the nature of altruism and charity that they cannot be exercised except in a social milieu, among fellow-beings whose life and actions are inspired and directed by the same spirit of altruism and charity, and in whose reciprocal activities the universal values inherent in the "Spirit of Truth" are realised in concrete application. The organisation of a community of men dedicated to a life in charity is thus the necessary practical consequence of the moral teaching of the Scroll, since it is only through life in charity within a community that the altruistic ideals of the "Spirit of Truth" can be realised. The establishment of *יהד אמת* "a fellowship of Truth" or, rather, "a fellowship of the Spirit of Truth," is thus the only appropriate and logical development of the ethical teaching of the Scroll, which has its centre in the concept of the "Spirit of Truth."

It is not the place here to examine the relation of the teaching of the Scroll to that of the prophets and the psalmists of the Bible. This subject is too important to be treated incidentally and perfunctorily. It may suffice now to indicate that the teaching of the Scroll and its practical application in the organisation of the *יהד* represents, basically, an effort to realise in practice the ethical teaching of the Bible, which aims at the transformation of men into an *עם קדוש*, "a holy people." A similar effort was made by rabbinic Judaism.

The relations between individuals or, more precisely, the attitude of man towards his fellow-man, both within and without the *יהד*, is another important consequence of the teaching of the Discipline

Scroll that must be mentioned here. Since every man is, according to the teaching of the Scroll, the depository of the "Spirit of Truth," he is necessarily the object of altruistic and charitable actions on the part of his fellow-men—even if he does wrong and commits acts of evil. For even so, the "Spirit of Truth" is still in him, and it is the "Spirit of Truth" that determines the nature of the reciprocal relations between men. Man has, so to say, to approach man on the level of the "Spirit of Truth." It follows from this that there cannot be hatred or enmity between individuals, and that wrongs should not be requited. Nothing could be clearer on this point than the following declaration in the Discipline Scroll: **לֹא אֲשִׁיב לְאִישׁ נְמוּלִירַע בְּשׁוֹב אֲרוּדָף גִּבֵּר** ("I shall not render evil [for evil] to any man; I shall pursue with good [every] man").<sup>1</sup>

The last important feature of the teaching of the Discipline Scroll that it is necessary to mention here refers again to the "Spirit of Truth." It is characteristic of the whole ethical doctrine of the Scroll that it conceives the "Spirit of Truth" not as something inherent in man but as a gracious gift of God to man—to be his "Helper" in the struggle against the "Spirit of Evil" (egotism). And the "Spirit of Truth" helps man by inspiring him with altruism and by prompting him to establish a **יָחַד** ("fellowship") within which alone life on the level of altruism can be realised. In theological language, God's grace, through the "Spirit of Truth," helps man in his struggle against sin (egotism). But God has also placed at man's disposal yet another means of combating sin or, at least, of keeping it within bounds: the "law." There are in the Discipline Scroll only general statements concerning acceptance of the laws of the "Torah," but it is clear from the *Damascus Fragments* that the religious community of the Scrolls applied the laws of the "Torah" with the utmost severity. It may not be incorrect to surmise that the community of the Scrolls saw in the "law" a means of purification from sin, as the rabbis did when they stated that God gave the commandments to the people of Israel in order to purify them.<sup>2</sup> And "law" was not discipline only; its ceremonies and system of purification also provided practical rites for removing "sin" from the sinner.

\* \* \* \*

In surveying the ethical doctrine of the Discipline Scroll on its "historical level" the following consideration occurs. This doctrine refers to an actual concrete moral life, and envisages this life as a dynamic process of tension and activity. The "working" of the two Spirits, Truth and Evil, in man's heart is, in fact, not a state but a process. Each Spirit continually opposes the other.

<sup>1</sup> Plate X, 17. This corresponds almost word for word to I Thes. v, 15: "See that none render evil for evil unto any man; but ever pursue (*diokete*) that which is good, both among yourselves and all man." I shall discuss in detail the context of this ethical maxim in the Scroll in the next section of this study.

<sup>2</sup> Gen. R. 44.



This continual opposition and struggle is the essence of man's moral and spiritual life. Indeed, the activity of the principle of altruism in man ("the Spirit of Truth") has meaning only if related to the activity of the principle of egotism in him ("the Spirit of Evil"). Man's moral life thus consists of a dynamic correlation of the two principles; and in man's moral activity the two principles, or "Spirits," form two inseparable aspects of the same process that cannot properly be dissociated from each other. Briefly, man is considered by the Discipline Scroll in his concrete, historical actuality; and, since the moral life of every man consists of the actual dynamic tension between the two contrasting principles, there cannot be any question of "predestination" or "election." The concrete, actual man is neither absolutely "good" nor absolutely "evil."

The historical mode of thought displayed by the Scroll in regard to man as an individual was not applied to the consideration of human society as a whole and of the relations between states and governments; it was not, that is to say, applied to the consideration of history as a whole. Instead of this, an "eschatological" mode of thought was superimposed on the concrete mode of thought in regard to individual man, and, as a result of this, the teaching of the Scroll on its "historical level" was distorted. The important concrete realisation of the principle of altruism in the shape of the "fellowship of Truth" (יְהוָה אֱמֶת), was, in the "eschatological" mode of thought, deprived of its significance and reduced to a mere state of "transitory preparation" for a more perfect "fellowship" of the "Holy Spirit" in which the tension between the two principles would come to an end through the elimination of the principle of evil (sin). Let us now consider in detail how this was achieved.

## 2. THE DOCTRINE OF THE SCROLL ON ITS "ESCHATOLOGICAL LEVEL"

The "eschatological" mode of thought is concerned with "states," not with "processes"; it is "unhistorical," since it envisages an "end" to the continual process of history. But, for its conception of the "end," of the "final state," it must derive its premises from actual reality, which is a continual process. There exists nothing else from which such premises could be derived. The eschatological mode of thinking proceeds, therefore, by isolating from the actual reality moments or aspects which are indissolubly joined together in the dynamic process of reality, and converts such moments into independent entities. Consequently, when the eschatological mode of thinking is applied to the actual, real, dynamic correlation between the principles of altruism and egotism in the moral sphere, the two principles, which are inseparable, in fact, from each other, become disjoined, and an end is put to the dynamic process itself. The vision of the eschatological future is the



result of the separation of the two contrasting principles ; and its essential feature is the assertion of the complete victory of one principle and the total elimination of the other. Hence we read in the Discipline Scroll that on the Last Day "will God . . . purify all man's acts and refine man's body in order to extirpate all traces of the Spirit of Deceit from within his flesh and cleanse him through the Holy Spirit from all the works of evil. . . ." ; and that "the iniquity of evil will be put to shame : indeed all acts of deceit."<sup>1</sup>

The inner struggle between the principles of altruism ("Spirit of Truth") and egotism ("Spirit of Evil") will thus cease with the elimination of "sin," and as a result of this the nature of the "fellowship of the Spirit of Truth," *יחד אמת*, will be entirely transformed. Since "sin" will be totally abolished, the *raison d'être* of the "law," in so far as it constitutes a discipline against, and ritual for, removing sin, will automatically lapse. In the new "state" inaugurated by the "Last Day," the "fellowship of truth" will be superseded by the spiritual "temple" or "holy of holies," which will be filled with the Holy Spirit, the Spirit of the Messiah from Aaron and Israel who will appear then ; and in which sacrifices and offerings will be replaced by charity and praise of God.<sup>2</sup> The "Last Day," which will be the beginning of the Messianic eschatological "state," will also be the day of the Last Judgment. What is the reason for this inclusion of the Last Judgment in the Scroll's eschatological vision of the future ? To say that this is a traditional feature of prophetic eschatology is true, but not quite sufficient, since the same question must be asked in regard to the biblical prophets. In order to find the answer, it is necessary to probe deeper into the essential motifs of eschatology.

Eschatology is the result of an abstract, "unhistorical" mode of thought. It is characteristic of the mode of thought of ancient civilisations, which apparently lacked a proper notion of historical process and development. Such a notion is encountered for the first time, if I am not mistaken, in Moses Maimonides' "Guide of the Perplexed," in which the seeds of the concept of "development" contained in the Bible are brought to fruition.<sup>3</sup> But what, it may be asked, impeded the prophets of Israel from a clear conception of the idea of "historical development" and turned their minds instead to the "Day of Judgment" ? I should like to suggest that it was the idea of "justice" in the forensic sense of the word, and that the abstract mode of thought, which is the distinguishing feature of the forensic idea of "justice," became the mainspring

<sup>1</sup> iv, 21ff., translation above, p. 115. It is important to observe that in these "eschatological" passages, the "Spirit of Truth" is interchangeable with the "Holy Spirit." The two are identical in the "eschatological" future.

<sup>2</sup> It is obvious from the text of the "Discipline Scroll," which refers to the replacement of sacrifices by moral conduct in the future, that such a conception dates from a time when the temple in Jerusalem still existed.

<sup>3</sup> See my paper, *Maimonides in England* in *Transactions of the Jewish Historical Society of England*, xvi, p. 97.

of eschatology. It is, in fact, in the nature of the forensic judgment of man's actions, to regard them in an abstract manner as being either "good" or "evil," "right" or "wrong," and the men who have committed them as being either "honest" or "criminal." The forensic judgment disregards by an act of abstraction the dynamic process of tension in man's actual moral life and considers the resultant deed almost as an independent entity. Now, once the forensic idea of justice, distinguished by its abstract mode of thought and involving the notion of punishment for "evil" deeds and reward for "good" ones, was adopted in the creation of the vision of the future—instead of the idea of a real historical process—the conception of the Last Judgment, in which sin (and all sinners) would be destroyed, became an inevitable result.

The doctrine of the Discipline Scroll on its two levels, the "historical" and the "eschatological," is, in fact, contradictory, since in the "historical" view, according to which the combat between the Spirits of Truth and Evil is in the "heart" of every man, there are no "sinners" in the absolute sense—but in the "eschatological" view, with its conversion of abstract categories into absolute entities, the existence of such "sinners" must be postulated. It is perhaps unnecessary to say that the contradiction brought to light by this analysis of the doctrine of the Scroll was not, in fact, felt to be such by its author. He and his community did not distinguish clearly between the two "levels" and their actual thought was a combination of both.

Some significant teachings in the Scrolls are a result of this combination. The forensic-eschatological approach leads, through its separation of the two principles of altruism and egotism (the Spirits of Truth and Evil) and their erection into independent entities, to a division of mankind into two classes: "children of Light (Truth)" and "children of Darkness (Evil)," as the respective representatives of the two principles. The "contrast" or "enmity" between the two principles within the "heart" of man now becomes, if one may say so, "exteriorised"; the members of the community are enjoined "to love all the children of Light . . . and to hate all the children of Darkness."<sup>1</sup> Further, since the two categories or classes of mankind are established by an act of abstract thought, it is clear that they must be assumed always to have existed as such. (Categories of abstract thought are, like the Platonic ideas, eternal.) Hence, every individual of the human race is "predestined" for one or the other of the two categories. The text of the Discipline Scroll is very explicit on this point.<sup>2</sup> "Before each generation of

<sup>1</sup> DSD i, 9-10. This is in contradiction to the statement referred to above, p. 143. "I shall pursue with good [every] man." But, in so far as real life was concerned there was no contradiction, for the "hatred" of the "children of darkness" was inculcated in relation to the Last Judgment and not to the period of history preceding it. The contradiction, on the theoretical level, is characteristic of Christianity.

<sup>2</sup> iii, 15-16.



men is born, God determined the whole design concerning them, and when they come into being at their appointed time, they fulfil their task in accordance with God's forethought."<sup>1</sup> The concepts of "predestination" and "election" are inevitable in the forensic approach.

The most remarkable, though not a surprising, result of the forensic categorising is the concept of "sin." Once the negative moment (the principle of egotism) has been abstracted from the dynamic reality of the moral life and converted into an independent category, "sin" becomes an entity in itself; it becomes "original sin." In the following passage of the *Damascus Fragments*, the notion of "original sin" due to the fall of Adam is clearly implied<sup>2</sup>:

ואל יתיצב עוד מבן | ששים שנה ומעלה לשפוט את העדה כי במעל האדם | מעטו ימנינו ובחרון אף אל ביושבי הארץ אמר לסור את | דעתם עד לא ישלימו את ימיהם.

"None who is sixty, or more, years old shall be judge in the congregation; for, through Adam's sin, men's span of life was curtailed; and God, in His wrath against the inhabitants of the earth [men], decreed that they be deprived of reason before they reach the end of their life."

The phrase, "God's wrath against the inhabitants of the earth," is significant: it expresses man's state under the stigma of "original sin." In the "eschatological" period, however, when "sin" is exterminated, "God's grace will be shed upon the world" (לרצון לארץ).<sup>3</sup> The choice of the two contrasting terms חרון אף and רצון to signify the radical difference in man's moral state, before and after the "eschatological" period, shows in the clearest manner the systematic structure of the moral doctrine of the Scrolls.

The forensic abstract mode of thought prevalent in the doctrine of the Scroll gives rise to further particular teachings. "Sin," from the forensic point of view, is a "crime" that must be punished or, rather, in the theological language of the Bible, "expiated" (כפר) that is to say, "cancelled, removed." Consequently, the members of the "fellowship of Truth" must be "punished" for the "sin" that is in them and "expiate" it through suffering the "tribulations of the period of trial"<sup>4</sup> under "the dominion of Belial."<sup>5</sup> Free submission to God's decrees and willing acceptance of suffering is thus the hallmark of the moral attitude of those who walk in the "Spirit of Truth."<sup>6</sup>

Forensic justice requires also that "good" actions should

<sup>1</sup> 'מלאו פועלהם. This phrase does not sound like Hebrew. Is it an imitation of the Greek: *pleroun ten chreian*?

<sup>2</sup> P. 10, lines 7-10.

<sup>3</sup> DSD, ix, 4.

<sup>4</sup> DSD viii, 4. וצרת מצרף.

<sup>5</sup> DSD i, 17-18. פחד ואימה ומצרף נהיים בממשלת בליעל.

<sup>6</sup> DSD x, 17. ובהפתח צרה אהללו ("I shall praise God when affliction comes").

be rewarded and the Scroll teaches accordingly that those who walk in the "Spirit of Truth" will receive their reward in heaven (the immortality of the soul is thus clearly postulated) and that those who walk in the "Spirit of Evil" will be punished in the pit of "darkness."<sup>1</sup>

The notion of "original sin" implies, further, that man must be regarded, almost by definition, as lacking the means of his own "salvation." The doctrine of "justification by God" is thus the necessary complement of the notion of "original sin." Finally, the notion of "original sin" requires, if it is not to remain in the sphere of abstract thought, a concrete term of reference; this is supplied in the Scroll in the expression "flesh" which denotes, as it were, the spatial seat of "sin."<sup>2</sup>

The double implication of "original sin," that is, "justification through God" and "flesh," finds its clear expression in the following passages from the "Scroll of Hymns."<sup>3</sup>

מי בשר כזאת | ומה יצר חמר להגדיל פלאות | והוא בעוון מרחם ועד  
שבה | באשמת מעל | ואני ידעתי | כי לוא לאנוש צדקה | ולוא לבן אדם  
תום דרך | לאל עליון כול מעשי צדקה | ודרך אנוש לא תכון | כי אם  
ברוח יצר אל לו | להתם דרך לבני אדם | למען ידעו כול מעשיו | בכוח  
גבורתו ורוב רחמיו | על כל בני רצונו.

"Who is 'flesh' [man]<sup>4</sup> that he should be like this [*i.e.*, capable of manifesting his power to all the living],<sup>5</sup> and what is an earthen vessel<sup>6</sup> that it should excel in wonders!<sup>7</sup> Man is, indeed, immersed in sin and criminal guilt, from the womb to hoary age; and I know that justification is not of man, and that man is incapable of attaining perfection. All acts of justification are of God, the Most High; and man's way will be established only

<sup>1</sup> See above, p. 114.

<sup>2</sup> See above, p. 115, n. 14.

<sup>3</sup> Published by SUKENIK, *מגילות גנויות II*, Jerusalem [1950], pp. 47-48.

<sup>4</sup> The word *בשר* is obviously a synonym for "man," as can be clearly seen from the personal pronouns *מי* and *והוא*.

<sup>5</sup> *והוא* refers to *גבורתו* in the preceding verse of the hymn.

<sup>6</sup> *אֶרְצָחָמֶר הַיֵּצֶר יִחְשֶׁב*, *וְיִצֵּר אִמֶּר לַיֵּצֶר*: cpr. Is. xxix, 16: *יִצֵּר חֲמֵר* (SUKENIK; SONNE). The two words *חֲמֵר*, *יֵצֶר*, have been combined, as SONNE, *A Hymn Against Heretics in the Newly Discovered Scrolls and its Gnostic Background in HUCA*, xxviii (1950-1951), p. 311, rightly suggests, into "one idiomatic expression." This expression is used by Paul in II Cor. iv, 7: "earthen vessels." MORTON SMITH (*The Harvard Theological Review*, xlv [1952], p. 73, n. 3) gives this reference from Paul and notes, in general, that "the Dead Sea Scrolls are rich in striking parallels to early Christian texts." In Rom. ix, 20-21, the passage of Isaiah, quoted above, is explicitly referred to.

<sup>7</sup> *להגדיל פלאות*, SONNE, *loc. cit.*, properly sees in this phrase an allusion to Is. xxviii, 29, and explains the whole passage of the Hymn as containing an antithesis: "from the Lord alone all the great wondrous works come forth, but not from flesh." The same antithesis is contained in II Cor. iv, 6-7. MORTON SMITH, who renders the passage of the Hymn as: "What is flesh (that it should deserve) such (mercies), and what is a creature of clay that (God) should multiply (His) wonders (upon him)?" seems to have missed both the meaning of the passage and its parallel in Paul.



through the Spirit that God created<sup>1</sup> to render perfect the way of men so that they might know all the workings of His mighty power<sup>2</sup> and His abundant mercy to all the children of His election."<sup>3</sup>

The "impotence" of "flesh," due to "original sin," and the "justification of God," the free act of His mercy, are the subject also of the following passages of the "Discipline Scroll":

ואני אם ׀ אמוט חסדי אל ישועתי ואם אכשול בעוון בשר משפטי  
בצדקת אל תעמוד לנצחים . . . בצדקת אמתו [׀] שפטי וברוב טובו יכפר  
בעד כול עוונותי ובצדקתו ישהרני מנת ׀ אנוש וחטאת בני אדם.<sup>4</sup>

"If I stumble, God's mercy is my salvation; and if I fall through the sin of the flesh,<sup>5</sup> my judgment [is assured] through God's justification that stands for ever . . . God will judge me in His truthful justification and will in His abundant grace cancel all my sins and cleanse me, through His justification, from the impurity and sin of man [*i.e.*, from 'original sin']."<sup>6</sup>

What does צדקה, "justification" mean precisely? It is clear from the context of the passages quoted above that it means "salvation from sin" brought about by the "Spirit of Truth" and accomplished finally by God himself through the "Holy Spirit." And it is characteristic of the doctrine of the Scrolls that they consider "salvation from sin" a free act of God's grace.

The equation of "justification" and "salvation" is biblical, as can be seen from Is. lxi, 10, where ישע is parallel to צדקה, and Is. lxii, 1, where צדק and ישועה are parallel. In Ps. xxiv, 5: ישא ברכה מאת יהוה וצדקה מאלהי ישעו, again, צדקה is "salvation," since it proceeds from "the God of salvation," and in being parallel to ברכה (blessing), it conveys the idea that salvation is God's gracious gift. In Rom. x, 10 ("For with the heart man believeth unto righteousness [*eis dikaiosunēn*—צדקה]; and with the mouth confession is made unto salvation [*eis sōterian*—(ישועה)], the parallelism between "righteousness," "justification," and "salvation" indicates

<sup>1</sup> That is, the "Spirit of Truth," man's Helper. לו should not be translated: it serves for emphasis. Cpr. p. 115, n. 12.

<sup>2</sup> Cpr. Eph. i, 19: "the working of his mighty power"; and I Cor. ii, 12: "that we might know the things that are freely given to us of God." (M. SMITH.) See also DSD, xi, 19-20, להבחין בכול נפלאותיה עם נדו גברתה, ("To understand [know] all Thy miracles [done] by Thy mighty power.") I have been tempted to take the preposition עם in an almost instrumental sense, like *sun* in I Cor. xv, 10. Cpr. MOULTON, *Vocabulary of the Greek Testament*, 609a.

<sup>3</sup> Cpr. Rom. ix, 8-18 (SMITH). See DSD xi, 7, 16, for the notion of "election."

<sup>4</sup> xi, 11-12; 14-15.

<sup>5</sup> Cpr. Rom. vii, 5, "For when we were in the flesh, the motions of sins, which were by the law, did work in our members to bring forth fruit unto death." The expression עון בשר is identical with *hamartia en te sarki* in Rom. viii, 3.

<sup>6</sup> The whole doctrine of "justification" and "sanctification" in the Scrolls is essentially identical with that of Paul. This has been noticed by M. BURROWS, who writes in regard to DSD xi, 14, "In this verse we seem to have not only justification but sanctification!" (quoted in BROWNLEE, *op. cit.*, p. 45, n. 30). But why the exclamation mark?

very clearly the common background of the Bible, the Scrolls, and Paul.

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Analysis of the doctrine of the Scrolls on its two levels and the annotations to the translation of the Discipline Scroll in the first section of this study have shown that the Scrolls are of Christian origin. The following points leave no room whatever for doubt or hesitation on this score: the exact parallels between New Testament literature and passages in the Scroll; the precise correspondence of typically Christian terminology with the Greek of the New Testament and the Hebrew of the Scrolls; the doctrine of "original sin," "predestination," and "election"; the teaching concerning the "Holy Spirit" in its two manifestations as the "Spirit of Truth" (the "Helper") and as the "Holy Spirit" in the eschatological period; and, indeed, the whole "eschatological" conception as such. All these points, taken singly or together, are incontrovertible evidence of the Christian contents of the Dead Sea Scrolls. The statement in the Discipline Scroll that the "Holy Spirit" will cleanse "flesh" from sin, in itself stamps the Scrolls with an absolutely clear mark of Christianity.<sup>1</sup> The question that must be considered now is not whether or no the Dead Sea Scrolls are Christian, but what "type" of Christianity is contained in them. The following section will demonstrate that the teaching of the Dead Sea Scrolls represents that of the primitive, pre-Pauline Church in Jerusalem.

*(To be continued)*

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<sup>1</sup> See also *Material Evidence of the Christian Origin of the Dead Sea Scrolls*, above pp. 128ff.



# THE BOOK OF HAGGAI AND ZECHARIAH I-VIII

In earlier studies of the book of Haggai<sup>1</sup> the suggestion has been made that the arrangement and setting of a small selection of his oracles was undertaken for the needs of a later generation. Something of the principles both of the selection and of the ordering can be discovered in the book as it now stands.

Those studies were made deliberately with little reference to Zechariah, although it was clear that for a full study of Haggai cross-references to Zechariah would be inevitable. The fact that the two prophets are so frequently considered together makes it desirable to study each of them separately. The problems of compilation raised by Haggai suggest, however, that some short comment on the prophecies of Zechariah should be made. (Only chapters i-viii are considered, since it is generally agreed that the remainder of the book is not to be attributed to Zechariah.) Without entering upon the many problems of text and interpretation, where there is much diversity of opinion, we may note some few points of interest which may help in the understanding of these two prophetic books.

## I. THE CONTENTS OF ZECHARIAH I-VI.

Two recent studies of the Night Visions of Zechariah, by Rignell<sup>2</sup> and Gallig<sup>3</sup>, have concentrated attention upon this part of the material, and in spite of many differences of approach and conclusion, a number of points are made by both these scholars which are of particular value in considering the whole question of the compilation of the material. Both Rignell and Gallig present a similar picture of prophetic activity, since they allow for the possibility that in making a collection of his visions the prophet has utilised other, older oracles of his own by way of comment and confirmation of his teaching.<sup>4</sup> Gallig has suggested<sup>5</sup> that some part of the material of the visions may well belong to a slightly earlier period, even before the return from exile. This idea had already been put forward in a different form by G. Adam Smith<sup>6</sup> and it seems most natural to regard the material of chapter ii in particular

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<sup>1</sup> *JJS* II, 4 (1951), 163ff.; *III*, 1 (1952), 1ff.

<sup>2</sup> L. G. RIGNELL, *Nachtgesichte des Sacharja*, Lund, 1950.

<sup>3</sup> K. GALLIG, *Die Exilswende in der Sicht des Propheten Sacharja*, in *Vetus Testamentum*, ii, 1 (1952) pp. 18ff.

<sup>4</sup> Cf. also HORST, *XII Klein. Proph.*, Tübingen, 1938, p. 204.

<sup>5</sup> *Op. cit.*, pp. 19f. 24, 36.

<sup>6</sup> G. ADAM SMITH, *The Book of the Twelve Prophets*, II, Edinburgh, 1912, pp. 259ff. (Quoted by GALLIG from RIGNELL, but without the volume number.)

as belonging to Babylonia and to a period earlier than that of the other visions.

That the prophet himself compiled and edited his visions and earlier prophecies is put forward in different ways by both Rignell and Galling.<sup>1</sup> Galling holds that the date in i. 7 ("the four and twentieth day of the eleventh month . . . in the second year of Darius," *i.e.*, February, 519) marks the date of "publication."<sup>2</sup> It is a view incapable of proof, but if this part of the text is considered apart from the remainder, and also apart from Haggai, there is much to commend the suggestion. We know that Jeremiah compiled a collection of prophecies for a particular occasion, though there were special reasons for his doing this, and we cannot regard it as an indication of normal practice.<sup>3</sup> Other prophets may have done the same. The consideration, however, of the introductory verses and of chapters vii-viii, together with the material of Haggai, suggests some other possibilities concerning the compilation of both these prophetic collections.

## II. THE DATES IN ZECHARIAH I-VIII.

Whereas the book of Haggai has a considerable number of dates by comparison with its small compass, Zechariah contains only three, i. 1, i. 7, vii. 1. In form, these introductory verses are comparable with those of Haggai ii. 10, 20-21. The various points which have already been made in the previous studies with regard to the dates need not here be repeated<sup>4</sup>; but the similarity of the formulæ at least suggests the possibility that whoever was responsible for the compilation of Haggai was also responsible for the compilation in its final form of Zechariah i-viii. The association of Haggai and Zechariah in the 'Chronicler'<sup>5</sup> makes it possible either that the 'Chronicler' knew of the traditional association with each other of the two prophets, or even that he knew of these two collections of oracles. If this latter possibility could be proved, we should gain some information about both the 'Chronicler' and the compiling of the prophecies, although the dating would on this evidence still be relative rather than absolute.

This correspondence with Haggai also indicates that while Zechariah may have been responsible for the ordering of i. 7-vi. 8 (or 15), some part of the arrangement may be due to the compiler of the whole of the material, and, in spite of Rignell's attempt at

<sup>1</sup> RIGNELL, *op. cit.*, p. 243; GALLING, *op. cit.*, pp. 35f. Cf. also HORST, *op. cit.*, p. 204, who notes, however, that the revisions and additions may not have been made by Zechariah but by somebody else, cf. p. 215.

<sup>2</sup> GALLING, *op. cit.*, pp. 35f.

<sup>3</sup> Jer. xxxvi. Jeremiah was at this time unable to speak in person in the Temple (xxxvi. 5).

<sup>4</sup> *JJS*, II, 4 (1951), pp. 171ff.

<sup>5</sup> Ezra v, 1.



retaining the text exactly as it is, some allowance may need to be made for subsequent revision.

### III. THE COMPILATION OF ZECHARIAH I-VIII.

Chapters vii-viii of Zechariah contain a group of oracles and comments, dated in vii. 1. The first passage (vii. 1-7) concerns an inquiry made about fasting and a comparison with Isaiah lviii (possibly from the same period<sup>1</sup>) suggests that its main point is to enjoin a spiritual observance of fasting rather than a purely formal one. The passage is obscured by the curious names in verse 2, which seem to indicate Bethel as the place from which the deputation came. More probable is the suggestion that the names of the persons involved should be read as Bethel-sharezer and Regem-melech, and that no place of origin is mentioned.<sup>2</sup> The interpretation of the phrase as referring to Bethel, and hence perhaps to the Samaritans<sup>3</sup> may be the work of a later day. Verse 7 is also very difficult to construe, though the sequel in vv. 8-14 in the form of a kind of commentary on the opening of the chapter, draws out the moral that it is obedience rather than formal ritual which is important.

Chapter viii consists of a number of small sections. Verses 1-5 describe the restoration of the city, a matter of great concern to Zechariah (cf. i. 12-17, ii. 1-5, 10-13). Verse 6 appears to be a separate oracle of promise (cf. iv. 10a). Verses 7-8 deal with the gathering of the people from dispersion, and includes the words so often associated with the covenant: "and they shall be my people, and I will be their God" (cf. Hag. ii. 4-5, Hos. ii. 23, Jer. vii. 23, etc.). This oracle is very suitable to the time of Zechariah, but is one which would appear still more suitable and relevant when presented to a later generation. Verse 9 contrasts the past with the present and leads into a further appeal for obedience in anticipation of the fulfilment of God's promise both to Judah and Israel, but more especially to Judah (vv. 10-17). The whole section is rounded off with an oracle dealing again with promise to Judah; her fasting is to be turned into joy, and all nations will gather to learn of the ways of God from the Jew (vv. 18-23).

These two chapters link up well with the opening verses of

<sup>1</sup> A date in the period 540-500 is not unreasonable for most of Trito-Isaiah, though some parts of it might be later. Such date is given by many scholars, cf. for example, the various writings of ELLIGER.

<sup>2</sup> Cf. Nergal-sharezer in Jer. xxxix, 3. Cf. J. P. HYATT in *JBL*, lvi (1937), pp. 387-394, who cites Bit-ili-shar-uşur from the 15th year of Nabonidus, i.e., 541-540 B.C. Cf. NOTH, *Die Israel. Personennamen*, Stuttgart, 1928 (*BWANT* iii, 10), p. 127; WELLHAUSEN, *Die klein. Proph.*, 3rd ed., Berlin, 1898, p. 186; PEISER, *OLZ*, iv (1901), cols. 306f.; KITTEL, *JBL*, xlv (1925), p. 132. So also MARTI, *Das Dodekapropheton*, Tübingen, 1904, p. 422. Cf. the discussion by MITCHELL, *ICC*, Edinburgh, 1912, p. 197. The suggestion is adopted by J. M. P. SMITH in the *New American Translation*.

<sup>3</sup> Cf. L. E. BROWNE, *Early Judaism*, Cambridge, 1929, pp. 86ff.

Zechariah (i. 1-6) and provide with that introduction a convenient setting for the larger collection of visions and oracles which is placed with this framework.

A significant phrase, however, occurs in viii. 9, which deserves more detailed attention. An exhortation to courage (based perhaps on the phrase in Hag. ii. 4) is addressed to those who in "these days" (*bayyamim ha'eleh*) hear "these words" which were delivered through the prophets active at the time when the foundation of the Temple was laid. It has been usual to see in this reference an allusion by Zechariah to Haggai and other prophets of the period who were prophesying at that time.<sup>1</sup> (According to the gloss in Hag. ii, 18, the date of the laying of the foundation-stone was the 24th day of the ninth month of the second year of Darius, *i.e.*, September, 520.) That there were other prophets besides Haggai and Zechariah is shown by the reference in Zech. vii. 3 to the consulting of both priests and prophets at the Temple. This explanation is, therefore, quite a possible one, but it seems to underestimate the force of the contrast in the Hebrew. Anyone reading such a phrase apart from its present context and without prejudice, would get the impression that a much longer space of time had elapsed between the period of the prophets mentioned and that of the hearers of the words. A mere two years such as is envisaged by the dates in Haggai and that in Zech. vii. 1 (520-518) is insufficient for such a contrast. It would be much more natural to see a reference here to a later period, and to the contemporaries of the compiler, who are here being exhorted to see the application of the words of both Haggai and Zechariah to the problems and needs of their own day.

The compiler thus draws the contrast between past and present. He points to the evil conditions of the time when the foundation of the Temple was laid, and to the faith that was nevertheless evoked by the call of Haggai and Zechariah to the people. There were difficult conditions to contend with then in the life of the people, as we know from Hag. i. There were also quarrels among the members of the community (perhaps indicated in Zech. iii). The 'Chronicler' paints such a picture of strife in Ezra iv. 1-6, which was presumably not his own invention, but represented the traditional view of the time of restoration. The hearers of the prophecies can see what the conditions of the past were like, and they can see too in the Temple building itself the results of the faith which was evoked. Perhaps the generation which heard these prophecies again and for which they were compiled, was also facing problems which resulted in lack of faith, and

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<sup>1</sup> Cf. for example, MITCHELL, *op. cit.*, p. 210; HORST, *op. cit.*, p. 235, who omits the reference to the stone-laying as being a gloss; NOWACK, *Die klein, Proph.*, Göttingen, 1903, p. 372, who thinks that the words *ha-heykhal lehibbanoth* might be the gloss of a reader whose standpoint was that of the 'Chronicler', differentiating between the stone-laying of Darius' second year and that described as taking place at the first return (Ezr. iii).

needed a similar recall. The encouragement comes to them in the words of older prophecy. Let the Jewish community be strong in faith, for God's promise is to them, a promise such as was given to former generations, but now to be confirmed and completed.

#### IV. CONCLUSION

From these few points and those raised in the studies of Haggai it may be possible to conclude something as to the nature of this little double collection of prophecies. If we work on the assumption that oracles of the prophets were preserved in part at least because of their continued relevance, so that the words of prophecy were no mere dead record, but the living word of God to later generations, then we can perhaps picture someone in a period not far removed from the 'Chronicler' setting out the evidence which should provide encouragement to his own generation. These two prophets of the Return, Haggai and Zechariah, worked in a period of discouragement, yet it can be seen what they achieved. In a generation returning from exile, meeting with bad economic conditions, with frustration and perhaps also with some active opposition, such a clear prophetic word of encouragement and hope had been given and obeyed that as a result the Temple had been rebuilt. To a later generation, discouraged perhaps by some outward events, recalling with sadness the great ancient glories of Israel (cf. Hag. ii. 3), these same words spoke again. Some of the oracles spoke perhaps with a new relevance, since new situations may well have lit up the older words and charged them with another and slightly different meaning. Thus the problem of Jew and Samaritan may have been actively engaging the compiler and his contemporaries, and the possibility that Hag. ii. 11-14 and Zech. vii. 1-7 were included as being relevant to this situation has already been mentioned.<sup>1</sup> Other elements in the oracles of both prophets may well have had equally contemporary importance.

The theory here propounded that the two collections of Haggai and Zechariah i-viii were brought out together, with a concluding exhortation and promise in Zech. viii. 9-23, would explain the special character of the two books and in particular their similarities of style and content. Both prophets are shown as having the same basic concerns with the Temple as the centre of Jewish religious life, with the coming of a day of divine intervention and deliverance, and of a new age. The adjustments which appear to have been made in the Zechariah chapters (and perhaps also in Haggai) to give added prominence to the priesthood, may be due to the compiler. It appears probable that Haggai and Zechariah envisaged some kind of order in which there should be harmony between priest and leader (cf. Zech. vi. 13), but with something of greater prominence given to

<sup>1</sup> Cf. on Hag. ii. 11-14, *JJS*, III (1952), p. 5; on Zech. vii. 1-7 cf. above.



the leader (cf. Hag. ii. 20-23, Zech. iii. 8, iv. 6ff.). Subsequent developments were perhaps influenced by the ideal expressed by Ezekiel (in chs. xl-xlvi) of harmony, but with the prince kept from controlling the sanctuary. In time the priest occupied the most prominent position in the Jewish community.

The words of exhortation with which the final sections of this double collection are introduced may serve to remind us of the purpose for which prophecy was used, and which it still fulfils, namely to mediate the word of God to man, by its use in the liturgy of the community, whether of synagogue or church :

“ Let your hands be strong, ye that hear in these days these words from the mouth of the prophets. . . . ”

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## EVIDENCE OF LITERARY DEVICE IN THE BABYLONIAN TALMUD

It is generally assumed by modern writers on the redaction of the Babylonian Talmud<sup>1</sup> that the editors, whoever they may have been, had it as their aim to gather together the vast amount of material which had accumulated during the years of discussion in the great schools. The editors, it is suggested, simply collected this material and recorded it, adding some few interpretations and comments of their own.

Thus, Herbert Loewe speaks of the Talmud as the "Hansard" of the discussions.<sup>2</sup> Michael Guttmann<sup>3</sup> remarks that the Talmud has order, but it is the order of free, academic discussion rather than of a literary work. In Margolis and Marx<sup>4</sup> the nature of the Talmud is described as follows: "The discussion, as it grew in the course of generations, is faithfully reproduced, thus presenting a picture of cumulative layers of argumentation. The reader is taken into the atmosphere of the schools; he is made to witness the strenuous mental contests as proponent and opponent engage in thrusts and counter-thrusts." Similarly, Solomon Grayzel<sup>5</sup> remarks: "They (the Saboraim) had before them a collection of discussions briefly and concisely noted. But what had been easy enough for the former sages to understand the new students could not grasp as readily. They had to stop and think. The best the most learned among them could do was to make these notes more understandable for themselves and their successors by setting them in better order, by expanding some parts of them, and by adding a word or phrase here and there to indicate how the discussions were to be read."

Julius Kaplan, in his fine work on the redaction of the Talmud,<sup>6</sup> goes further than other writers when he sums up the activity of the Saboraim, whom he considers to be the editors of the Talmud, as follows: "But it is the critical work of the Saboraim which constitutes the major and most important part of their activity. As they reviewed all the works of Gemara, they put every item of it to a new and searching examination. This revealed many logical difficulties, inherent inconsistencies, and numerous conflicts between Amoraic and Tannaitic propositions. All these were considered, explained, and reconciled systematically and judiciously with great powers of analysis and logical acuteness. Old controversial matter

<sup>1</sup> On the problem of the redaction of the Babylonian Talmud see J. KAPLAN, *The Redaction of the Babylonian Talmud*, N.Y., 1933; B. M. LEWIN, *Rabbanan Sabborai Vetalmudam*, Jerusalem, 1937; A. WEISS, *Hatalmud Hababli Behithhavutho Hassifruthith*, Warsaw, 1939; and *The Babylonian Talmud as a Literary Unit*, N.Y., 1943; H. REVEL in *U.J.E.*, Vol. X, p. 164-5, who gives a useful summary of the conclusions of the above-mentioned works.

<sup>2</sup> Foreword to D. WRIGHT's *The Talmud*, London, 1932, p. 10.

<sup>3</sup> *She'eloth 'Aqademi'oth Battalmud in Debhir*, Vol. I, Berlin, 1923, p. 38f.

<sup>4</sup> *A History of the Jewish People*, Philadelphia, 1945, pp. 245-6.

<sup>5</sup> *A History of the Jews*, Philadelphia, 1948, p. 238-9.

<sup>6</sup> *Op. cit.*, p. 299.

received particular attention. In most cases the results recorded anonymously betray their late origin. But quite often they assume the form of dialogue, the pros and cons evolved in the course of the Saboraic discussion being put into the mouth of the original opponents." Thus, according to Kaplan, the final editors were not mere recorders but active participants in the work. That this is a fundamentally sound view cannot be doubted if Kaplan's evidence is carefully considered.<sup>1</sup> In fact, in the view of the present writer, Kaplan does not go far enough. There is evidence, not only of editorial amplification of the earlier material, but of a definite striving after what may be called, without exaggeration, dramatic effect, achieved by means, for instance, of literary devices involving the use of climax. If this contention is correct, and the following evidence, taken almost at random, appears to demonstrate its soundness, then the current notion of the Talmud as a non-literary work will have to be drastically revised.

1. The Mishnah (B.Q. 1, 1) refers to the four chief categories of damage—'abhoth neziqin. Three of these are *shor*, the ox (Ex. xxi, 28-32 and 35-36), *bor*, the pit (Ex. xxi, 33-34), and 'esh, fire (Ex. xxii, 5). The Mishnah concludes that the feature common to all הצד השוה שבהן is that their nature is to do damage and that their owner is obliged to pay for the damage done. The Gemara (B.Q. 6a), working on the assumption that the expression הצד השוה שבהן is the formulation of a general rule, including doubtful as well as borderline cases not dealt with directly in the Mishnah, asks: "What does הצד השוה שבהן include?" In answer to this, the views of four Amoraim, 'Abaye (c. 280-338), Raba (299-352), R. 'Adda bar 'Ahaba (contemporary of the above), and Rabina (died c. 420) are quoted. All four concur in the view that the general rule includes an unusual type of *bor*, which differs from the normal type, combining the normal *bor* with one of the two other chief categories of damage.

The plan of the passage is briefly as follows: 'Abaye regards as an instance of the unusual type of *bor* the stone or knife placed on a roof and blown off by a gust of wind. The question is then asked: "Why cannot this be derived from *bor* itself? Just as *bor* is a potential source of damage from the moment it comes into being, so too the stone and the knife are potential sources of damage from the moment they are placed on the roof." To this the answer is given that *bor* itself requires no other force for its operation, whereas the stone and knife can fall from the roof only as a result of the action of the wind. Consequently, there is no complete analogy with *bor*. But by taking *bor* in conjunction with 'esh, which also operates as a result of the wind's action, the new type of damage may be determined.

Raba understands as an unusual case of *bor* that of an obstacle

<sup>1</sup> See especially pp. 97-99, 155-163.



“rolled along by the feet of men or animals,” *i.e.*, an obstacle in a public way which did not cause damage in its original place but did so in the place to which it was rolled by the feet of those using the road. Here, too, the question is asked: “Why cannot this be derived from *bor* itself? Just as *bor* is a potential source of damage from the moment it comes into being, so too this obstacle is a potential source of damage from the moment it is placed in the public way.” The answer given is that the analogy with *bor* is not complete because, in the case of *bor*, the sole cause of the resulting damage was the action of the digger, whereas here, had it not been for the action of the passers-by, the obstacle by itself would not have caused the damage. But by taking *bor* in conjunction with *shor* we may determine the category of this new case, since we learn from *shor* that the owner is responsible even though the damage is not caused by any action of his.

R. 'Adda bar 'Ahaba understands by an unusual case that of house refuse poured out in winter (when the law permits such action) into the public way and causing damage. Here once again the question is asked: “Why cannot this be derived from *bor* itself? Just as *bor* is a potential source of damage from the moment it comes into being, so too is the refuse poured into the street.” The answer given is that, in the case of *bor*, the digger performs an illegal act, since he has no right to dig a pit in the public way. But the pouring out of refuse in winter is allowed by law, and the analogy with *bor* is consequently incomplete. But by taking *bor* in conjunction with *shor*, the new type of damage may be determined, for, though an ox is allowed by law to pass through the public way, its owner is nonetheless responsible for any damage it may do.

Finally Rabina's view is recorded, according to which an unusual instance is that of an unsafe wall or tree which fell into the public way after the owner had been warned to have it removed. The question is asked here: “Why cannot this be derived from *bor*? Just as *bor* can easily do damage, so too can the unsafe wall or tree.” To which the answer is given that *bor* is a potential source of damage from the moment it comes into being, whereas the wall and the tree are not. But by taking *bor* in conjunction with *shor* we may determine the category of this new case since, although *shor* is not a potential source of damage from the moment it comes into being, its owner is nonetheless responsible.

The whole point of the contribution of the four Amoraim is that *bor* has four characteristics. It is a source of potential damage from the moment it comes into being; it operates without the aid of any other force; the action of the digger is the sole cause of the damage done; and the act of digging is an illegal one. Each Amora produces a case where *one* of these characteristics is absent and the category of this new case cannot be derived from *bor* alone but

from *bor* in conjunction with either *shor* or '*esh*. Now it appears to be overwhelmingly certain that the Amoraim themselves were responsible only for the statement of the new cases and of the reason for their dissimilarity to *bor*, but neither they nor their contemporaries could have been concerned in the actual discussions in the form of question and answer such as we have in the Gemara. For, quite apart from the extreme improbability that the same expressions and terms were used by all four of them, it is impossible to explain, if these discussions are, indeed, the work of contemporaries, how the contemporaries of Rabina could have been unaware of the fact that *bor* is a potential source of damage from the moment it comes into being and why they should have seen fit to introduce the altogether artificial qualification that *bor* is more likely to do damage than the other '*abhoth nezizin*.<sup>1</sup> Is it not obvious that the detailed discussions we have here are the work of the redactors, who have *created* an artificial form of discussion around Rabina's contribution in order to make it conform to the literary framework adopted in the contribution of the other Amoraim?

2. A Baraitha is quoted in Ned. 89b in which R. Nathan (second century) disputes with the Sages whether a husband can annul a vow which his wife has made (Num. xxx, 2-17) before it has taken effect. If, for instance, she has sworn not to derive benefit from her father if she works for her husband, can the husband annul the vow even before she has worked for him? R. Nathan argues that the husband cannot annul a vow which has not yet taken effect: the Sages hold that he can. The Gemara discusses further whether the same difference of opinion would obtain in the case of a sage annulling vows. The example given in this connection is that of a man who has sworn not to derive benefit from any other person if he marries before he has mastered the science of Halacha. Can the sage annul this vow even before marriage takes place? On this point, two versions of R. Papi's (late third century) opinion are given. According to the first version, R. Papi said that even the Sages agree that a sage cannot annul a vow before it has taken effect. According to the second version, R. Papi said that even R. Nathan agrees that a sage *can* annul a vow before it has taken effect.<sup>2</sup>

An attempt is made in the Gemara to prove the correctness of the first version from a Baraitha in which the ruling is given that if a man vows: "I will have no benefit from A, and I will become a Nazirite if my vow is annulled by a sage," he must first have his original vow annulled and only then may his Nazirite vow be annulled. The implication is that the original vow may be annulled only after the Nazirite vow has taken effect, not beforehand, which supports the first version of R. Papi's statement—that the Sages agree that no vow can be annulled, even by a sage, before it has

<sup>1</sup> See RASHI, *B.Q.*, 7b; s.v. *m'ai*.

<sup>2</sup> *Nedarim*, 90a.

taken effect. This attempt is thwarted by the observation that the Baraitha may follow the view of R. Nathan, according to whom the sage would be like the husband, and neither of them would be able to annul a vow before it has taken effect, but the Sages may hold, to the contrary, that just as the husband can annul the vow before it has taken effect, so can the sage annul the vow beforehand.

The Gemara then quotes R. Papi's second version and the same Baraitha is again adduced in order to refute his view. Even if the Baraitha follows R. Nathan, R. Papi must be rejected, for, according to the second version of his statement, even R. Nathan agrees that a sage may cancel a vow before it has taken effect.

The scheme of the whole passage is as follows:

(a) *First version of R. Papi quoted*: All agree, even the Sages, that a sage *cannot* cancel a vow before it has taken effect.

(b) *Attempt to prove this from the Baraitha.*

(c) *Refutation of the proof—the Baraitha might follow the authority of R. Nathan.*

(d) *Second version of R. Papi.* All agree, even R. Nathan, that a sage *can* cancel a vow before it has taken effect.

(e) *Refutation of this version from the Baraitha.*

We have here an example of how the redactors skilfully "built up" the argument by keeping the second version to the end so as to heighten the effect of the final refutation.

It follows from the examples given and from many others<sup>1</sup> that the redactors of the Talmud quite often use dramatic methods to achieve literary effect. In the instance discussed above we have the same device as that used by Shakespeare, for instance, in the casket scene in "The Merchant of Venice." Bassanio's correct choice is not introduced until the Prince of Morocco has wrongly chosen the golden casket and the Prince of Arragon the silver one. Had the dramatist introduced Bassanio's choice at once we could not, of course, have had the episodes of the Prince of Morocco and the Prince of Arragon.

It may be said in conclusion that, whatever the date when the Talmud was committed to writing,<sup>2</sup> it certainly existed in written form in the Saboraic period. If the Saboraim were the redactors of the Talmud, they may have been responsible for casting it into a literary shape in the manner we have indicated for the purpose of attracting and holding the attention of the reader.

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<sup>1</sup> See, for example, *B.Q.* 2b-3b; *Hull.* 27a; *Pes.* 7a-b; *Qidd.* 7b-8a; and many other passages where this method is adopted.

<sup>2</sup> For the divergence of opinion as to the date at which the Talmud was committed to writing, see H. STRACK'S *Introduction to the Talmud and Midrash*, E.T., Philadelphia, 1945, pp. 18-19.



## CONTEMPORARY LETTERS ON THE CAPTURE OF JERUSALEM BY THE CRUSADERS

So far, not a single Jewish literary source, bearing on the capture of Jerusalem by the Crusaders, has come to light. The absence of a narrative on this event does not seem to be natural, for the Jews living around the eastern shores of the Mediterranean did not completely lack historical interest. They possessed family chronicles and compositions describing special events, both called *Megilloth* (Scrolls). A number of such Scrolls of the eleventh and the beginning of the twelfth centuries are still preserved, such as the "‘Ahima‘az Scroll," the chronicle of a pious, learned, and very influential family which was active in Southern Italy, Egypt, and some adjacent countries; the "Mišraim Scroll" of 1012, describing events in the early days of the mad Fatimid Caliph al-Hakim, when he was still regarded as a Messiah-like prince of justice; the Scroll of the priestly family of ‘Ebhyathar, which flourished in Palestine shortly before the Crusades; and finally the story of ‘Obadyah the Proselyte, a Norman knight of noble descent, who embraced Judaism in 1102 and travelled in Syria, Irak, and Egypt in search of the expected Messiah. From a new fragment of the ‘Obadyah Scroll recently found by the present writer, it appears clearly that some literary accounts of the bloody persecutions of Jewish communities in Western and Southern Germany in 1096 had reached the East. It is not, therefore, the lack of a literary tradition that would account for the absence of a Jewish narrative of the First Crusade in the East.

Not less astonishing is the fact that not a single Jewish document, bearing directly on the capture of Jerusalem by the Crusaders, has made its appearance so far. It is true that in general "very little contemporary correspondence has survived" even in Europe, and "no official charters or documents of the period" from the Saracene side have come down to us.<sup>1</sup> However, hundreds of documents of this period, from various Mediterranean countries, have been preserved in the Geniza of Old Cairo, and it is, therefore, rather odd that no document bearing on such decisive an event as the capture of Jerusalem has been found.

This complete silence has usually been explained by the fate which befell the Jewry of Jerusalem at the time of the conquest. According to a notice preserved by the Muslim polyhistor Ibn al-Djauzi, which has been known to European writers for over a hundred years, but which in its turn was taken from another

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<sup>1</sup> See S. RUNCIMAN, *History of the Crusades*, Cambridge, 1951, Vol. I, p. 333.

Muslim historian, Ibn al-Qalanisi (died 1160), the Crusaders drove the Jewish inhabitants of the town into the synagogue and burnt them there together with the building.<sup>1</sup> Thus it was believed that the capture of Jerusalem by the Crusaders resulted in the total extermination of its Jewish population, which would explain the complete silence of Jewish sources. However, as B. Dinaburg has pointed out, a different picture of the fate of the Jews in Jerusalem is conveyed to us by Latin chronicles.<sup>2</sup> Although the Jews had taken an active part in the defence of the town,<sup>3</sup> they were not annihilated, but many of them, who were assembled round the Dome of the Rock, were commanded, together with poor native Christians, to clean the town of corpses of the slain. A number of Jews were sold, on Tancred's command, as was customary with war prisoners, and were deported as far as Apuleia in Southern Italy.<sup>4</sup> Many of these were, however, thrown into the sea or beheaded on the way.

A fuller account of what actually happened in Jerusalem is contained in a Geniza document preserved in the Taylor-Schechter Collection of the Cambridge University Library, T-S 20.113, an English translation of which is given at the end of this paper. The document is a letter, written, as usual, in Hebrew characters, but mostly in the Arabic language; it lacks the beginning, and its script is faded or torn in various places. This state of the manuscript explains perhaps why it has escaped hitherto the attention of the many scholars, who have perused the precious treasures of the Taylor-Schechter Collection, and I am particularly obliged to Dr. Teicher, the editor of this Journal, who drew my attention to this difficult, but highly important, document.

As the beginning is missing, neither the place, from which the letter was sent, nor the names or the whereabouts of the persons to whom it was addressed, have been preserved. These, however, can be fairly safely reconstructed from its contents. The three men who signed the letter, no doubt the heads of the community of Ascalon (l. 40-44),<sup>5</sup> must have been in Egypt at this time, because they refer to the place, from which they are writing, as the country in which they are foreigners (l. 29; l. 19, verso) and to which the refugees were coming from Palestine either by sea (l. 29) or on camels (l. 36). This place could hardly have been Alexandria, since they mention this town expressly (l. 15); but always refer to the

<sup>1</sup> RUNCIMAN, *op. cit.*, p. 287. R. GROUSSET, *Histoire des Croisades*, I, p. 161.

<sup>2</sup> *Year Book Zion*, Jerusalem, 1927, pp. 38-66.

<sup>3</sup> GILO, *Historia Gestorum*, vi, 264, quoted by HAGENMEYER, *Gesta Francorum* 1890, p. 477, note 7.

<sup>4</sup> BALDRICUS, *Historia Jerosolimitana*, *Recueil*, Occ. iv, 103, note 7 (codex G of Blois Library, cf. HAGENMEYER, *op. cit.*, 476). Cf. R. RÖHRICHT, *Geschichte des ersten Kreuzzuges*, 1901, 195-6.

<sup>5</sup> Numbers not followed by the word "verso" refer to the first page of the letter.

place where they are staying as "here." In addition, there can be little doubt that they were addressing one of the two big Jewish communities in Egypt, either Alexandria or Cairo, for the sums, mentioned in the letter, are far larger than those collected by the provincial congregations on similar occasions.<sup>1</sup> The very deferential tone of the letter shows, further, that it was addressed to prominent people, leaders of a big community. Thus it is safe to assume that the authors of the letter sojourned in Damietta or another town in Eastern Egypt. We shall show later that the letter was actually sent to Alexandria.

One might ask for what reason have the authors of the letter left their native town of Ascalon and endeavoured with all their might to evacuate from there also captives who had been ransomed from the Franks. Ascalon was, in fact, taken by the Crusaders only as late as 1153. However, at the time when the letter was written, it looked as if the fall of the town were only a question of time. It is known that, after the defeat of the Egyptian army in August, 1099, the Governor of Ascalon—the same Iftikhar who had capitulated in Jerusalem—was prepared to hand over the town to the Franks, and that it was solely the rivalry between Godfrey of Bouillon and Raymond of Toulouse which caused the Muslim commander to withdraw his offer. Under these circumstances it is perfectly understandable that, at that time, Ascalon was regarded by the Jews as a zone of utmost danger.

The letter was written after Passover (l. 34), *i.e.*, in the summer of 1100. It had been preceded by other letters, which announced the arrival of groups of refugees (l. 32-33). As the writers repeatedly mention their own contributions towards the relief work (l. 1-2; l. 16, verso), they themselves were clearly not refugees, but must have left Ascalon in an orderly way.

The purpose of the letter was to raise money for paying back the debts incurred by the Ascalon community in connection with the disaster which had befallen the Jerusalem congregation. Besides the expenses on medicine, food, and clothes for the ransomed people, a hundred dinars had been spent for the ransom itself and for the purchase of two hundred and thirty volumes, a hundred codices, and eight Thora Scrolls that had been looted by the Crusaders. As a special messenger was to convey the letter, the authors refrained from making detailed communications (l. 31, verso). Nevertheless, quite a full picture of the fate of the Jews of Jerusalem, both immediately after the fall of the city and during the subsequent months, emerges from our letter. However, for a correct interpretation of its contents one should always bear in mind that other communications which had preceded it are no longer available. But notwithstanding this it is clear that only in

<sup>1</sup> Cf. J. MANN, *The Jews in Egypt and in Palestine under the Fatimids*, I, p. 232 and *passim*.



the spring of 1100, when almost all the captives, who could be ransomed had reached Ascalon or even Egypt, was it possible to make a complete survey of what had actually happened. We shall try now to reconstruct the facts as far as our letter allows.

Jerusalem, as is well known, was attacked and taken on July 15, 1099, from two directions, from the North by Godfrey and Tancred with their Lotharingians and Flandrians, and from the South by Raymond of Toulouse with his French knights. In both areas there were Jewish quarters: in the South, not far from the so-called Wailing Wall, and in the North in the vicinity of the Damascus Gate.<sup>1</sup> Raymond was blamed for making prisoners and selling them to Ascalon, thus preferring money to "religious" considerations, and it was he who received the capitulation of Iftikhar, the Egyptian commander of the so-called Citadel of David, and gave him a safe-conduct for himself and his men.

The information contained in our letter is to be interpreted against this background. A small number of Jews, probably army agents<sup>2</sup> and people with useful connections, succeeded in leaving the city in the company of the Governor (l. 26); others escaped after having been captured (l. 27); the majority, however, of those who remained alive and had been made prisoners were ransomed—most probably from captivity in Raymond's hands. According to a long-established rule, the ransom of a free man, whether Muslim, Christian, or Jew, was fixed at 33½ dinars, a comparatively high sum. Such was the amount at the time of the famous geographer al-Maqdisi of Jerusalem (985 A.D.) and the same amount is recorded in Jewish sources throughout the eleventh century.<sup>3</sup> Had this usage been adhered to in the case of the captives of Jerusalem, only a comparatively small number of them would have been ransomed. The writers of our letter see a special sign of God's mercy in the fact that this time a far smaller ransom had to be paid (l. 44-48). This was hardly due to the ignorance on the part of the Crusaders of the customary ransom fee; most probably military considerations induced them to get rid at any price

<sup>1</sup> The problem of the sites of the Jewish quarters of Jerusalem at the eve of the Crusades was discussed in great detail by Y. PRAWER in *Zion*, Vol. XII, pp. 136-148. PRAWER assumes that the southern quarter was relinquished in favour of the northern site. However, a Jewish letter, dated approximately 1054, has been recently published in the *Osaiah Press Jubilee Volume*, p. 121, which was dispatched from "Jerusalem, Gate of the Cave" = Damascus Gate. (The "Cave" is the one which is called to-day after Zedekiah and was called, in older times, after Qarun-Korah. Cf. GUY LE STRANGE, *Palestine under the Muslims*, p. 223.) This letter seems to indicate that the two quarters existed then side by side. In addition, the Jews would hardly have returned to the south of Jerusalem after 1187 had they not been living there before 1099.

<sup>2</sup> See the title "The Manager of the Bedouin Levy" mentioned in the Cambridge Document, TS. Arabic I, xv, 111. This document is being published by me in the *Millas' Festschrift*, Barcelona.

<sup>3</sup> Cf. J. MANN, *op. cit.*, I, pp. 87-90, and *passim*. When our letter (l. 45) says that three Jewish persons used to be ransomed for the sum of 100 dinars, it does not imply that the ransom price for non-Jews was different.

of the embarrassing number of prisoners, before meeting the Fatimid army in the open field. The number of persons thus ransomed must have been rather considerable, for at the time when our letter was written, after various groups of ex-captives had already arrived in Egypt (including the main group conducted there by an Alexandrian worthy [l. 13-17, 33-37]), there still remained at Ascalon over twenty persons (l. 9, verso).

Not all the prisoners could be ransomed. Since Jerusalem was taken by various Christian commanders, it is not surprising to find that the treatment of the local population was far from uniform. According to Baldricus, as mentioned above, it was Tancred who took Jewish prisoners; but, as Baldricus adds, many of these were murdered—a fact echoed in our letter (l. 10). Others were purposely detained and these finally embraced the Christian faith (l. 23). There was, in particular, the interesting case of a man known as “the son of the Tustari’s wife,”<sup>1</sup> who was urged to become a Christian priest after a high ransom had been offered or even paid for him.

There is another detail which deserves special attention: the very great number of books, originally synagogue property, which were sold by the Crusaders to the Jewish relief committee of Ascalon (l. 38-39). The Cairo Geniza has preserved various lists of the property of the synagogues of Fostat (Old Cairo), which enable us to make comparisons. In 1075 the synagogue of the Palestinian Jews there possessed twenty-eight codices and eighteen Thora Scrolls, part of which belonged to the synagogue of Dumuh (a place of pilgrimage outside Cairo) and another part to the synagogue of the Iraqi Jews.<sup>2</sup> The latter possessed in 1080 only twenty-five codices. In 1181, however, the Iraqians alone still possessed more or less the same number (most of which from recent acquisitions or donations), but the synagogue of the Palestinians possessed in 1186 over fifty codices, including the famous codex of the Bible called *Taj* (the Crown),<sup>3</sup> which ultimately found its way to Aleppo, and another similarly precious codex, called “The Brother of the Taj,” details of which are to be found in Hebrew MS. Oxford 2876, fol. 23 (to be published by me shortly).

The figures just given are significant in many respects. They show, first, that Jerusalem was still at the time of the conquest by the Crusaders a place of Jewish learning, or at least of comparatively many Jewish books, although the Academy of Talmudic Studies had been transferred to Tyre many years before. Secondly, it

<sup>1</sup> Most probably a member of the Tustari family, which occupied a leading position in Egypt in the eleventh century, cf. J. MANN, *op. cit.*, *passim*, and W. J. FISCHER, *The Jews in the Economic and Political Life of Medieval Islam*, 68-69.

<sup>2</sup> See MS. in the Jewish Theological Seminary Library, Adler Collection, No. 4010.

<sup>3</sup> These documents were published with facsimiles by R. GOTTHEIL, in *Israel Abraham's Memorial Volume*, pp. 160-169.

now becomes evident that the Crusaders, after the fall of the town, proceeded to loot rather systematically. At least they did not burn a synagogue without first removing its library and its Thora Scrolls, which, of course, represented money. Thirdly, we can see now how books from Jerusalem found their way to Cairo (and probably also to Alexandria). As I understand, Dr. Teicher is going to deal with this point in a special paper, and I shall refrain from commenting on it further.

Our letter alludes to another important detail, in regard to which the behaviour of the various conquerors of the city was different. It says (l, 24-25) that those known as *Ashkenazim*, Germans, did not force or violate<sup>1</sup> women, as the others did. In order to understand this statement properly, one has to consider, as mentioned above, that various groups of ransomed prisoners had reached Egypt before our letter was written. Among these, there were no doubt women who had undergone that trial. According to the Jewish Law a wife of a priest, *kohen*, who had been violated, must be divorced by her husband. Most probably such cases had occurred; hence the problem of violated women was one of public concern. The bulk of the captives, as we have surmised above, were ransomed from Raymond and his Frenchmen shortly after the fall of Jerusalem. It appears, thus, obvious to assume that these captives reported cases of violated women. Prisoners made by the Lotharingians and Flandrians were, however, redeemed at a later period and reached in trickles Ascalon and subsequently Egypt. This explains why the notice about the different behaviour of the Christian conquerors of Jerusalem finds its place in a letter written as late as the summer of 1100.

The sufferings of the captives did not end with their ransom. They ceased to be "prisoners" and became "refugees."<sup>2</sup> The limited means of the small community of Ascalon were hardly sufficient for the ransom of the people and of the books and for supplying medical and other assistance. Many of the ransomed perished on their way to Egypt, partly also because of the severe winter (l. 29-31). Even the Crusaders, who came from northern countries suffered, as is known from Latin sources, very severely. Those prisoners who succeeded in reaching Egypt became the victims of an outbreak of the plague and other epidemic diseases, which reached their peak at that time—a detail to which we shall

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<sup>1</sup> I do not know exactly the difference between the two Arabic expressions used in the letter, *qahara* and *ittata gasban*. In Arab warfare, it was common practice to have intercourse with a captured woman without *ejaculatio seminis*, in which case a higher ransom was realised than after completed cohabitation. I do not know, however, whether the Franks made similar differentiations.

<sup>2</sup> The writer of the letter uses the Hebrew expression *petiim*, which has gained such sad fame in our own time. Although writing in Arabic, he denotes "captives" and "refugees" with Hebrew words, because of the religious duty to help them. As soon as religion comes in, Hebrew makes its appearance.



have to refer again when discussing another document dealing with the conquest of Jerusalem by the Crusaders.

The letter is written in a dignified and almost eloquent language, and leaves a favourable impression of its writers and recipients as well as of the other persons mentioned in it. We see the old Jewish tradition of conquering disaster with charity as strong at that time as it has been in our own days. Particular mention is made of Abu' l-Fadl Sahl, son of Yusha', son of Sha'ya, an influential agent of the Sultan, who succeeded, by able negotiations, in ransoming all those "whom it was possible to liberate" (l. 13-18), and who, besides granting a loan to the public relief fund, undertook at his own expense to bring a group of refugees to Egypt—a costly affair, since the Jews did not travel on Saturday (this meant, of course, extra pay for the Bedouin camel drivers), and the time was Passover, which required the provision of special food (l. 34).

It would lead us too far to discuss here the interesting passage concerning the raising of funds (l. 21-35, verso). As in our own days, charity was not left entirely to the discretion of each individual. Thus, in a similar situation, when Jewish captives from Byzantium were brought by Saracene pirates to Alexandria in 1027, the Jewish authorities ordered a public fast, the closure of shops, and a compulsory attendance at the synagogues, where indeed the whole Jewish population, including the women and the Moroccan merchants present in the town, contributed their share.<sup>1</sup>

The cryptic remark that the rich and wealthy in the city of the recipients of the latter had become impoverished seems to find its explanation in a passage of the second document (translated below, l. 40-41), where it is said that owing to the continued plague and other diseases which ravaged Alexandria (in the years 1095-1098) the rich had become poor in that town. It would appear, therefore, that our letter was addressed to Alexandria; and this is in conformity with the high praise given repeatedly in the letter to the addressees that they were the first and the most eager to help—a praise which would have been somewhat out of place had it been destined for Cairo, the leading community of the country.

We are turning now to a second document referring to the capture of Jerusalem by the Crusaders. It is preserved in the Bodleian Library, Hebr. MS. b11 (Catalogue No. 2874), fol. 7. This is a letter sent from Egypt to North Africa or Spain by a pilgrim who had set out from his country more than five years before 1099, in order "to behold" Jerusalem but was detained in Alexandria, owing to the dangers of the constant warfare in Palestine. In fact, hardly one out of a whole company which had tried to reach Jerusalem succeeded in coming back (l. 12-17). The wars between the Fatimids and the various factions of the Seldjuks

<sup>1</sup> See J. MANN, *Texts and Studies in Jewish History and Literature*, I, 366-369.

are well known from Muslim sources ; still it is interesting to see how they affected everyday life in the years preceding the arrival of the Crusaders.

There was no peace in Egypt either. After the death of the Caliph al-Mustansir on January 10, 1094, al-Afdal, the almighty viceroy, placed on the throne the Caliph's younger son, al-Musta'li, instead of the elder Nizar, who, however, succeeded in making himself acknowledged in Alexandria. Al-Afdal twice laid siege to this town, until it acquiesced in rendering homage to al-Musta'li. To these events the writer of our letter alludes in 1. 17-22, from which one can gather how successfully Fatimid propaganda influenced the local population. The writer describes the new Caliph<sup>1</sup> as a prince of justice, the like of whom never has existed in the world—just as the Mišraim Scroll of 1012 had done in respect of al-Hākim<sup>2</sup>—and he, although a foreigner in Egypt and a Jew, repeatedly calls him *our* "Sultan." His expectation that the just and energetic ruler would conquer Jerusalem was fulfilled, and therefore he moved from Alexandria to Cairo in order to set out from there to the Holy Land. Before, however, he could do so, the Franks arrived and captured the city.

It seems that our letter was written approximately at the same time as the document discussed before, because the situation is the same: a number of captives had already been ransomed, while others were still in the hands of the Crusaders "in all parts of the world"; this is in conformity both with the remark in the letter of the elders of Ascalon that some captives were brought to Antiochia, and with the information of Baldricus that many captives were sent to Apuleia in Southern Italy. The writer, on the one hand, complains that so far the general expectation that "the Sultan" would attack and wipe out the Franks has not yet been fulfilled, and, on the other hand, he is convinced that "*this* year"—as he says—the armies would meet in battle. With *this* year he obviously means either the Muslim year 493, which began on November 17, 1099, or the corresponding Jewish year, which started a few weeks earlier. It is most probable that he wrote in the spring of 1100, shortly before the campaigning period opened. He hopes—but seems to be not completely confident about it—that the Fatimid army would rout the Franks and drive them out of Jerusalem, in which case he would be the first to set out for the Holy City in order to fulfil his vow of pilgrimage. He was not, however, prepared to wait much longer, for he was old and longed to go back to his homeland and "the inheritance of his fathers."

To my mind, this simple letter is a precious historical document, as it reflects very tangibly the mood of the subjects of the Fatimid Caliph in the year following the capture of Jerusalem. On the one

<sup>1</sup> The praise could refer also to al-Afdal.

<sup>2</sup> See above, p. 62.

hand, the wholesale slaughter at the time of the conquest had achieved the result intended.<sup>1</sup> Our writer says that the Crusaders killed *all* the Muslims and Jews, although he himself refers to different groups of surviving captives; he, like everybody else, was deeply impressed by the reports about the murder of the civil population. On the other hand, after Jerusalem had changed its lords several times in the course of a single generation—the Fatimids had conquered it less than one year before the Crusaders—it was only natural that everybody should have expected that the city would soon be wrested again from the Crusaders' hands. We see here again the efficient Fatimid propaganda machine at work, which, in order to disarm the indignation of the people about the loss of Jerusalem, was spreading, from time to time, the rumour that the Sultan was setting out with his troops against the Franks. On the whole, one clearly perceives that at this early period it was by no means realised that the Franks had come to stay for such a long period.

Again the writer's report about the plague and the other diseases which wasted Alexandria during four successive years (1095-1098) and destroyed its wealth and a great part of its population, is not without historical interest. The plague broke out again early in 1100 and affected also the Crusaders.<sup>2</sup> It may be, indeed, worth while to investigate whether Egypt was not weakened by these epidemics during the years preceding the arrival of the Franks so that she became unable to put up an effective resistance.

Having reviewed the contents of these new documents concerning the capture of Jerusalem by the Crusaders, we are now in a position to answer the question put at the beginning of this article, *i.e.*, why the fall of the Holy City, unlike the happenings in Western and Southern Germany in the year 1096, found no literary expression in Jewish sources. The victory of the Franks was, apparently, regarded by the local population as an event of only passing importance.<sup>3</sup> It meant disaster for the inhabitants of Jerusalem, but there was no opportunity for heroic sacrifice and "Sanctification of the Name (of God)," as was the case in Germany. It was a case for charity and relief work, not for heroism. Heroism may give rise to literary expression, relief work breeds reports. Indeed, the report of the elders of Ascalon, discussed above, with its decent and warmhearted account of the relief work

<sup>1</sup> It is GROUSSET's theory that the extermination of the civilian population was due to military considerations. The elders of Ascalon in their letter, l. 11, ascribe the cruel killing of the captives to sheer lust of murder.

<sup>2</sup> The detail, at the end of the letter, that "he who hiccups does not live" is found also in the Crusaders' descriptions of the epidemic (whose exact medical character will possibly never be known). As I understand from DR. S. MUNTNER, this detail of medical knowledge was already a commonplace at Hippocrates' time and thus passed through Saracene mediation to the West.

<sup>3</sup> This is reflected also in the Muslim sources which are amazingly reticent with regard to details about the fall of Jerusalem.



done, is, so far, the most eloquent response of Oriental Jewry to the challenge of the fall of Jerusalem in 1099, which has come down to us.

\* \* \*

*The original text of the documents which are given here in English translation is published, together with a detailed philological commentary, in Zion, Vol. XVII.*

*I take this opportunity to extend my sincerest thanks to the Librarians of the Cambridge University Library and of the Bodleian Library in Oxford for their kindness in allowing me to examine and publish these documents. I am also indebted to Professor D. H. Baneth for the important comment he has made on the Arabic of the text, and likewise to Professor S. Halkin and Mr. H. Blank for revising the English translations.*

### DOCUMENT No. 1

[Cambridge University Library MS. Hebr. T-S 20.113. Proper names are printed in italics.]

(Recto)

(1) We thank the Most High who gave us the opportunity of fulfilling this pious deed, and granted to you to take a (2) share in it with us. We spent the money for the ransom of some of the captives, after due consideration (3) of the instructions contained in your letter, that is, we send what was available to those who [had already been ransomed(?)].

(4) We did not fail to reply to what you had written us, (5) and indeed we answered, but we were seeking a man who would bring our reply to you. Afterwards it happened that these illnesses came upon us ; (6) plague, pestilence, and leprosy, which filled our minds with anxiety, that (7) we ourselves or some of our relatives might be stricken with disease. A man whom we trust went from here and must have explained to you (8) the position with respect to the sums you had sent: that they reached us safely and that they were spent in the manner indicated [in your letter].

(9) News still reaches us that among those who were redeemed from the *Franks* and remained (10) in *Ascalon* some are in danger of dying of want. Others remained in captivity, and yet others were killed (11) before the eyes of the rest, who themselves were killed afterwards with all manner of tortures ; [for the enemy murdered them] in order to give vent to his anger on them. (12) We did not hear of a single man of Israel who was in such plight without exerting ourselves to do all that (13) was in our power to save him.

The Most High has granted opportunities of relief and deliverance to individual fugitives, (14) of which the first and most perfect instance—after the compassion of Heaven—has been the presence in *Ascalon* of the honourable shaykh 'Abu' l-Fadl Sahl (15) son of Yusha' son of Shay'a (may God preserve him), an agent of the Sultan (may God bestow glory upon his victories), (16) whose influence is great in *Alexandria* where his word is very much heeded. He arranged matters wisely and took great pain in securing the ransom ; (17) but it would require a lengthy discourse to explain how he did it. But he could only ransom some of the people and had to leave the others. In the end, (18) all those who could be ransomed from them [the Franks] were liberated, and only a few whom they kept remained in their hands, including (19) a boy of about eight years of age, and a man, known as [?] *the son of* (20) *the Tustari's wife*. It is reported that the Franks urged the latter to embrace the Christian faith of his own free will (21) and promised to treat him well, but he told them, how could he become a Christian priest and be left in peace by them [the Jews], who had disbursed (22) on his behalf a great sum. Until this day these captives remain in their [Franks] hands ; as well as those who were taken to *Antioch*, but these are few ; (23) and not counting those who abjured their faith because they lost patience as it was not possible to ransom them, and because they despaired of being permitted to go free.

(24) We were not informed, praise be to the Most High, that the accursed ones who are called 'Ashkenazim (Germans) violated (25) or raped women, as did the others.

Now, among those who have reached safety (26) are some who escaped on the second and third days following the battle and left with the governor who was granted safe conduct ; (27) and others who, after having being caught by the *Franks*, remained in their hands for some time and escaped in the end ; these are but few. (28) The majority consists of those who were ransomed. To our sorrow, some of them ended their lives under all kind of suffering and affliction. (29) The privations which they had to endure caused some of them to leave for this country (30) without food or protection against the cold, and they died on the way. (31) Others in a similar way perished at sea ; and yet others, after having arrived here safely, became exposed to a "change of air" ; they came at the height of the plague, and a number of them died. We had, at the time, reported the arrival (33) of each group.

And when the aforementioned honoured shaykh arrived, he brought a group (34) of them, *i.e.*, the bulk of those who had reached *Ascalon* ; he spent the Sabbath and celebrated Passover with them (35) on the way in the manner as is required by such circumstances. He contracted a private loan for the sum (36) that he had to pay the camel drivers and for their maintenance on the way,

as well as the caravan guards and for other expenses, after (37) having already spent other sums of money, which he did not charge to the community. All this is in addition to the money that (38) was borrowed and spent in order to buy back two hundred and thirty volumes, a hundred codices (39) and eight Torah Scrolls. All these are communal property and are now in *Ascalon* (40).

The community, after having disbursed about five hundred dinars for the actual ransom of the individuals (40 interlinear), for maintenance of some of them and for the ransom, as mentioned above, of the sacred books (41) remained indebted for the sum of two hundred dinars. This is in addition to what has been spent (42) on behalf of those who have been arriving from the beginning until now, on water and other drinks, medical treatment, (43) maintenance and, in so far as possible, clothing. If it could be calculated how much this has cost over such a long period, (44) the sum would indeed be great.

Had the accepted practice been followed, that is, of selling three Jewish captives (in the margin) (45) for a hundred [dinars], the whole available sum would have been spent (46) for the ransom of only a few. However, the grace of the Lord, may His name be exalted, (47) and His ever-ready mercy, has been bestowed upon these wretched people, (48) the oppressed, the captives, the poor and indigent, (49) who may, indeed, groan, lament, and cry out (50) as it is written [Ps. xliv, 12-13]: "Thou hast given us like sheep appointed for meat, and hast scattered us among the heathen. (51) Thou sellest Thy people for nought and dost not increase Thy wealth by their price." (52) And we ourselves may say [Is. i, 9]: "Except the Lord of Hosts had left unto us (53) a very small remnant, we should have been as Sodom, and we should have been like unto Gomorrah." (54) We declare that all the silver which we have weighed [*i.e.*, the money we have spent] in this catastrophe, from the beginning (55) until now is but light and insignificant in relation to its magnitude (56) and the greatness of the sorrow it has entailed.

(57) Some adduce as an excuse the impoverishment of (58) this class of financial magnates and property holders (59) . . . and (?) the harshness of the winter season (60) . . . and . . . enfeebled it.

(Verso)

(1) We could not refrain ourselves from reporting what we know and the outcome of what we have done in this juncture, (2) for we are convinced that you, just like ourselves, regret and mourn for those who have died (3) and strive for the preservation of those who are alive; especially since your determination to distinguish yourselves was clearly shown (4) and the loftiness of your aspiration and generosity became apparent. You were the first and the most



consistent (5) in the fulfilment of this "good deed" which you were granted to perform, and which gained for you great superiority over the other communities (6) as well as much honour. Thus, you may be, indeed, compared with that class of people to whom it was assigned to perform generous deeds (7) and to strive to do praiseworthy acts, as it is written [Deut. xxxiii, 21]: "And he came with the heads of the people, he executed the justice of the Lord, and his judgments (8) with Israel."

We have already indicated that we remained in debt of over two hundred dinars, apart from the moneys that are (9) required for the maintenance of the captives who remained in *Ascalon*—they number more than twenty (10) persons—for their transfer and other needs until they arrive here. (11) Among those who are in *Ascalon* is the honoured elder 'Abi al-Khair Mubarak the son of (12) the teacher *Hiba b. Nisan* (may God protect him for a long time). It is well known how much he is revered, wise, (13) God-fearing, and endowed with high virtues; he is bound by an old vow not to benefit in anything from charity (14) together with the whole of the community, but only from what is explicitly destined for him by name. [He should be enabled] (15) to come here, after [you] our Lords, elders and masters—may God preserve your happiness—(16) have graciously offered us the sum needed for cancelling the debt incurred for the ransom of our and your brethren. Gird now your loins together with us (17) in this matter, and it will be accounted for you as a mark of merit in the future, as it has been in the past . . . (18) the generous deed which you began, by helping us to lighten our burden and by assisting us (19) with your generosity in order to put us back on our feet, for we have no one in this country to whom we could write (20) as we are writing to you. It is proper that we should turn to you and cause you some disturbance. (21) The main tenor of this letter ought to be read out to your [entire] community, after you have announced that (22) everyone must attend [the meeting]. For the benefit will [thus] be complete and general, both to those who pay and to those who receive payment. (23) For it is unlikely that there should lack among the public those who had made a vow, or those who had undertaken an obligation to perform "holy deeds" which have not yet been determined; such should, then, be invited (24) to contribute as much as may be seen fitting. Or there may be those who had previously intended to make contribution to charity, or others may wish (25) to make a specific contribution to one cause rather than to another. In this manner you will achieve your purpose, and deal with us (26) in your accustomed generosity and excellent manner . . . (27) . . . and you will deserve, through this charitable act, to acquire "both worlds." (28) Only rarely does such a juncture present itself, in which "commerce"\* is beneficial and "business"\*

\*i.e., The heavenly reward for contributions to charity.

entirely profitable. We do not call your attention to (29) such a matter in order to remind you of the duty of doing it, but . . . (30) your own lofty [virtues] are the strongest urger and reminder.

We dispatched a messenger to you and what (31) he will tell you about the details of this misfortune exempts us from discoursing on it at a greater length. We (32) beg of you, may God preserve you in long life, to deal with him kindly until he returns ; and concerning that which (33) God may cause him [to collect] amongst you—may God preserve you—if you could write out for him a bill of exchange (34), it would make things easier for him, since he is but a messenger, and speed up his return. If this cannot be done, arrange that an exact statement (35) of how much has been collected be made, and have your letter sent through him [the messenger] and mention the sum in it. The God of Israel, etc. . . .

(There follow nine lines with complimentary phrases in Hebrew.)

(In the margin)

(1) The writer of the above, the pained, sorrowful, and grieving *Yeshā'ya ha-Kohen b. Maṣliah the Enlightened* (2) sends respectful greetings to all the gentlemen, and begs them to accept his apology. (3) They are not unaware of what he has gone through from the time he took leave of them until this day.

(To the left of preceding lines)

(1) *David b. R. Shelomo b. R.* . . . (2) sends his greeting to your excellencies (3) and begs you to note . . . (4) *al-Fadl Abu.* . . .

(To the right of the first signature, in Arabic characters)

(1) *Hanina b. Mansur b. 'Ubayd* (peace be on him) reserves for the venerable lords and masters, may God preserve their excellencies, (2) the best greeting and most excellent salutation and attention ; expresses his longing for them and begs them to take note of the contents of this letter. Peace.

## DOCUMENT No. 2

[Bodleian Library, Oxford, Heb. MS. b11 (Catalogue, No. 2874) fol. 7. The Hebrew or Aramaic words and phrases of the original are printed here in italics.]

*In Your name, You Merciful.*

(2) If I attempted to describe my longing for you, my Lord, my brother *and cousin*, (3)—may God prolong your days and make permanent your honour, success, happiness, health, (4) and welfare ; and [ . . . ] subdue your enemies—all the paper in the world would not suffice. My longing will but increase (5) and double, just as the days will grow and double. May *the Creator of the World* presently (6) make us meet together in joy when I return under His

guidance to my homeland *and to the inheritance of my Fathers in complete* (7) *happiness, so that we rejoice and be happy through His great mercy* (8) *and His vast bounty ; and thus may be His will !*

You may remember, my Lord, that many years ago (9) I left our country to seek God's mercy and help in my poverty, (10) to behold Jerusalem and return thereupon. However, when I was in Alexandria (11) God brought about circumstances which caused a slight delay. Afterwards, however, (12) "*the sea grew stormy,*" and many armed bands made their appearance in Palestine ; (13) "*and he who went forth and he who came had no peace,*" so that hardly one survivor out of a whole group (14) came back to us from Palestine and told us that scarcely anyone could save himself (15) from those armed bands, since they were so numerous and were gathered round (16) . . . every town. There was further the journey through the desert, among (17) [the bedouins] and whoever escaped from the one, fell into the hands of the other. Moreover, mutinies (18) [spread throughout the country and reached] even Alexandria, so that we ourselves were besieged several times and the city was ruined ; (19) . . . the end however *was good*, for the Sultan—may God bestow glory upon his victories—conquered the city (20) and caused justice to abound in it in a manner unprecedented in the (21) history of any king in the world ; not even a dirham (22) was looted from anyone. Thus I had come to hope that because of his justice and strength God would give the (23) land into his hands, and I should thereupon go to Jerusalem in safety and tranquillity. For this reason I proceeded from Alexandria (24) to Cairo, in order to start [my journey] from there.

When, however, God had given Jerusalem, the blessed, into his hands (25) this state of affairs continued for too short a time to allow for making a journey there. (26) The Franks arrived and killed everybody in the city, whether of *Ishmael or of Israel* ; (27) and the few who survived the slaughter were made prisoners. Some of these have been ransomed since, (28) while others are still in captivity in all parts of the world.

(29) Now, all of us had anticipated that our Sultan—may God bestow glory upon his victories—would set out against them [the Franks] with (30) his troops and chase them away. But time after time our hope failed. Yet, to this very (31) present moment we do hope that God will give his [the Sultan's] enemies into his hands. For it is inevitable that the armies will join in battle this year ; (32) and, if God grants us victory through him [the Sultan] and he conquers Jerusalem—and so it may be, with God's will—(33) I for one shall not be amongst those who will linger, but shall go there to behold the city ; and shall afterwards return (34) straight to you—if God wills it. My salvation is in God, for this (35) [is unlike] the other previous occasions [of making a pilgrimage to Jerusalem]. God, indeed, will exonerate me, (36) since at my age I cannot afford



to delay and wait any longer ; (37) I want to return home under any circumstances, if I still remain alive—whether I shall have seen (38) Jerusalem or have given up the hope of doing it—both of which are possible.

(39) You know, of course, my Lord, what has happened to us in the course of the last five years : the plague, the illnesses, (40) and ailments have continued unabated for four successive years. As a result of this the wealthy became impoverished (41) and a great number of people died *of the plague*, so that entire families (42) perished in it. I, too, was affected with a grave illness, from which I recovered only (43) about a year ago ; then I was taken ill the following year so that (on the margin) for four years I have remained [. . .]. He who has said : *The evil diseases of Egypt* [Deut. vii, 15] . . . he who hiccups does not live . . . ailments and will die . . . otherwise . . . will remain alive.

S. D. GOITEIN.

Jerusalem.

# NOTES AND COMMUNICATIONS

## 1. PASSOVER AND THE FESTIVAL OF UNLEAVENED BREAD

The change in the name of the holiday of Passover from "the festival of unleavened bread" (חג המצות) to "the festival of Passover" (חג הפסח) has been the subject of a recent controversy between Professors Charles C. Torrey and Solomon Zeitlin. Professor Torrey claims that the name Passover was always used to include the entire festival.<sup>1</sup> In Professor Zeitlin's opinion, before the destruction of the Second Temple, the name *pesah* referred only to the paschal lamb, whilst, after the destruction of the Temple, the name *pesah* included the festival of seven days which lasted from the 15th to the 21st of Nissan, and which was known as the festival of unleavened bread (*hag hammasoth*).<sup>2</sup> Professor Zeitlin has advanced this theory in several of his studies on the history of the Second Commonwealth.<sup>3</sup> His explanation of the alleged change of the name by the rabbinic sages after the destruction of the Temple is in line with his concept of the change in the political orientation of the Jewish people which took place at that time. According to Professor Zeitlin, "the festival of unleavened bread is in commemoration of the deliverance of the Jews from Egypt, whereas the slaughtering of the paschal lamb and the name Passover is in commemoration of the saving from the plague which God inflicted on the Egyptians. Thus the former is more in the character of a national festival, while the latter is religious in character. Hence the rabbis purposely dropped the name 'festival of unleavened bread' and named the festival Passover to stress the religious character of this festival."<sup>4</sup>

I shall deal here with Professor Zeitlin's assertions in regard to the change in the name of Passover, and attempt to prove that long before the destruction of the Temple the name *pesah* did not refer exclusively to the paschal lamb. Already in biblical times the name *pesah* had a connotation of time. How else can we understand the expression מַמְחֶרֶת הַפֶּסַח (Num. xxxiii, 3; Jos. v, 10), if *pesah* does not refer there to the time when the paschal lamb is sacrificed and eaten? Zeitlin is aware of the fact that we find in the Bible the expression חַג הַפֶּסַח (Ex. xxxiv, 25), but considers the text וְלֹא יֵלֵךְ לִבְקֹר זֶבֶח חַג הַפֶּסַח (Ex. xxiii, 18) faulty in view of its being at variance with the parallel passage וְלֹא יֵלֵךְ חֶלֶב חֲנִי עַד בֹּקֶר (Ex. xxiii, 18).

Zeitlin does not advance any reason why we should prefer the latter reading. The text of Ex. xxxiv, 25, however, seems more correct since the verse deals with the paschal lamb. The expression

<sup>1</sup> *JQR*, xlii (January, 1952), 243.

<sup>2</sup> *Ibid.*, 256f.

<sup>3</sup> *JQR*, xxxiv (July, 1943), 24; *Who Crucified Jesus?* New York, 1942, 112f.

<sup>4</sup> *JQR*, *ibid.*

פסח seems also to occur in Ezech. xlv, 21 where the text originally probably read **חג ה' לחדש יהיה לכם חג פסח**.<sup>1</sup> The expression *heortē tou pascha* (the Festival of Passover) occurs in the LXX.<sup>2</sup> We have ample evidence that long before the destruction of the Temple the name **פסח** or rather its Aramaic equivalent **פסחא**, was interchangeable with the name Festival of Unleavened Bread, **חג המצות**, in the designation of the festival of Passover. Josephus on a number of occasions stresses that the festival of unleavened bread is called by the Jews *heortē tou pascha*. He emphasises this not only in the latter part of *Antiquities*, as Zëitlin asserts, but also in the *Wars* which he wrote in the years following the destruction of the Temple.<sup>3</sup> It is impossible to accept the suggestion that a change in the name of the festival came about in the short interval of a couple of years, between the destruction of the Temple and the time when Josephus edited his *Wars* (not later than the year 79). It is equally impossible to believe that when Josephus used the expressions *hē pascha para Ioudaiois kaleitai*; *tēn pascha legomenēn*; *hēn Faska legomen*,<sup>4</sup> he had in mind the new name adopted by the rabbis after the destruction of the Temple.

A change in the name of a festival like Passover could come about either as measure that bears the authority of the rabbis, or as a result of a long process. We have no record that the rabbis changed the name **חג המצות** into that of **פסח**. The change undoubtedly came about in the course of a long process which had started long before the destruction of the Temple. The name **פסחא** for the festival goes back to the time when the sacrifice of the paschal lamb was the most important feature of the festival. The name was introduced by the people who spoke Aramaic. The liturgy preserved the original biblical name of the festival **חג המצות**. Josephus, writing for the non-Jewish world, used the biblical name of the festival, but explained several times that it had amongst the Jews still another name in their Aramaic vernacular, namely **פסחא**. Josephus, indeed, makes the same remark about the Feast of Weeks as he does about the Feast of Unleavened Bread. He writes of a "fiftieth day which the Hebrews call asartha,"<sup>5</sup> The Feast of Weeks

<sup>1</sup> See G. A. COOKE, *The Book of Ezekiel*, 503, 507. Cf. the Vulgate, *ad loc.*, "erit vobis Paschae solemnitas. . ."

<sup>2</sup> Ex. xxxiv, 25; Jer. xxxi, 8; the LXX read here **במועד פסח** instead of **ביום עיר ופסח**

<sup>3</sup> *Wars*, ii, 10; "And now the Feast of Unleavened Bread which the Jews call Passover came around"; vi, 421-423: "for having assembled from every part of the country for the Feast of Unleavened Bread . . . on the occasion of the Feast called Passover. . . ." *Antiquities*, x, 70: "the Festival of Unleavened Bread also called Passover" (see Loeb Classical Library, vi, p. 196, note a); xiv, 21: "the Festival of Unleavened Bread which we call Phaska"; xvii, 213: "... the Feast of Unleavened Bread . . . which feast is called Passover. . . ."; xviii, 90: "the Feast of Unleavened Bread which we call Passover"; xx, 106: "When the feast which is called Passover was at hand."

<sup>4</sup> *Wars*, ii, 10; *Antiquities* x, 70; xiv, 21.

<sup>5</sup> *Antiquities* iii, 252.



was termed **עצרת** during the period of the Second Commonwealth, and it is also called so in the Mishnah and Talmud.<sup>1</sup> No change in the name of the Feast of Weeks came about after the destruction of the Temple. By stating that this festival is called "asartha" by the Hebrews, Josephus is not referring to a new name. The same holds good for his statement about the festival of Passover.

There are other statements of Zeitlin which cannot stand critical examination. He claims that the Synoptic Gospels use only the names Feast of Unleavened Bread for Passover.<sup>2</sup> This is not true for Luke. In the latter the Festival of Passover is mentioned twice, in ii, 41 and xxii, 1; the first time as Feast of Passover, the second, as Feast of Unleavened Bread which is called Passover.<sup>3</sup> The evidence from Luke is indeed against the theory of Zeitlin.

We have already mentioned that Zeitlin emphasises the religious connotation of the name Passover as against the national character of the Feast of Unleavened Bread. It is interesting to note that Philo interpreted the word **פסח** only in the national sense. According to Philo, Passover is celebrated in commemoration of the crossing of the Red Sea (*diabasis*).<sup>4</sup> By this interpretation, Philo probably intentionally wanted to avoid referring to the odious connotation of the word, *i.e.*, the disaster of the Egyptian first-born. The Jews would not have changed the name **חג המצות** into **חג הפסח** if the latter had not been rooted in the people. They would certainly not have chosen a name with an odious connotation, particularly since according to Zeitlin, this change is to be considered the result of the change in the political orientation of the Jews after the destruction of the Temple.

In our opinion, the preference by the rabbis for the term stems from their desire to keep the memory of the past alive among the people, and to strengthen the hope for the restoration of the Temple. It is for these very reasons that the prerogatives of the Temple were transferred to the Synagogue.<sup>5</sup> The stress on **פסח** is the result of the religious policy of Rabbi Johanan ben Zakkai and his disciples. It was rather the policy of continuity and perpetuation than that of change which prompted the rabbis to prefer **חג הפסח** to **חג המצות**.

J. ROSENTHAL.

Chicago.

<sup>1</sup> See *Targum Onqelos* on Num. xxviii, 26; *Mishnah Bikkurim* i, 3; *Rosh Hashshanah* i, 2; *Mo'ed Qatan* iii, 6; *T.B. Sab.*, 110a. Cf. ZEITLIN, *JQR*, xxix (1938), 17: "The Sages, at the time of the Second Commonwealth . . . called this festival **עצרת**."

<sup>2</sup> See note 1; *Who Crucified Jesus?* 113.

<sup>3</sup> *te heorte tou pascha; he heorte ton azymon he legomene pascha.*

<sup>4</sup> PHILO, *De specialibus legibus*, ii, 41: "The fourth is the crossing Festival called Pascha"; 145: "the fourth feast called the Crossing Feast which Hebrews in their native tongue called Pascha." Cf. HEINEMANN, *Philon's griechische und juedische Bildung*, 120.

<sup>5</sup> See *Mishnah, Rosh Hashshanah* iv, 1-3; Cf. Z. YAVITZ, *Toledot Yisrael*, vi, 8f.

## 2. A FRAGMENT OF AN UNKNOWN WRITING BY URIEL DA COSTA

In the annotations to his edition of תולדות ישו (with a Latin translation), Joh. Jac. Huldricus quotes the following extracts from a Hebrew manuscript:

כי תדעו גם ישוע הנוצרי רצה להסכים אתנו והוא רצה לנזור על המאמינים בו שיקבלו את מנהגינו אבל לא מנהגכם ואתם הרנתם את ישוע הנוצרי שלא כדת משה רק בודון לבכם הרע . . . למה דנתם בהריגה את ישוע ודמו ודם זרעו ידרש עליכם ואף תאמרו שגם אבותינו הסכימו להרוג את ישוע כי להדיס הוא באשר שלא היה פלונתא בינינו ובין ישוע רק בענין תחיית המתים וישוע אמר שהתחייה היא באת מכם הטבע והביא ישוע ראיה לדבריו ואבותינו היו משיבים שהתחייה באת מכם הקב"ה וגם אבותינו הביאו ראיה לדבריהם ואם כן ישוע אינו חייב שום משפט מות.<sup>2</sup>

"For you know well that Jesus the Nazarite also wanted to agree with us and he intended to order his believers to accept our rites, not your rite. But you killed Jesus the Nazarite contrary to the law of Moses, but in the presumption of your evil heart. . . . Why have you sentenced Jesus to death, so that his blood and the blood of his seed is being exacted from you? Do not say that our fathers had also consented to kill Jesus. For this is pure invention,<sup>3</sup> since there was no dispute between us and Jesus except concerning resurrection. Jesus maintained that resurrection will be by Nature and he adduced proofs for his assertions; but our fathers argued that resurrection will be by God and they also adduced proofs for their assertions. Thus, Jesus did not deserve at all to be put to death."

Who is the author of these perplexing statements written in seventeenth-century Hebrew? Huldricus himself introduces the extracts in the following manner: "May I be allowed to quote here the statements concerning Jesus' death (which the fictitious Karaites regard as having been inflicted upon him contrary to all law and equity) contained in a manuscript Letter which a certain Rabbanite Jew, who is wholly imbued with lies, has feigned as having been written by the Karaites at the time of the famous Anan ben Chanan and addressed to the traditional [Rabbanite] Jews."<sup>4</sup> There can be little doubt that Huldricus is right in regarding the contents of this "Letter" as "fictitious Karaite." There is in the annals of Karaite literature no record whatsoever (except, perhaps, in modern times)

<sup>1</sup> Abbreviation for לא היו דברים מעולם.

<sup>2</sup> *Historia Ieschuae Nazareni, etc.*, Leyden, 1705, pp. 82-83.

<sup>3</sup> Literally: "such things never existed."

<sup>4</sup> *Op. cit.*, p. 82: "Lubet hic adscribere, quae in Epistola Msc. quam Iudaeus Rabbanista quidam, mendaciis totus incoctus finxit a Karaeis tempore Celebris illius Anani Ben Chanan ad Iudaeos traditionarios scriptam, de Jesu morte (quam contra ius fasque illi illatam fuisse fictitii Karaei tuentur) leguntur."

that the Karaites felt an affinity with Christian beliefs or that they dissociated themselves from the Rabbanites in the matter of Jesus' death. The most conspicuous feature of Karaite intellectual life in the sixteenth and seventeenth centuries is, in fact, anti-Christian polemics.<sup>1</sup> Who then is this Rabbanite Jew disseminating his own ideas in the seventeenth century under the label of "Karaism"?

I suggest that he is none other than the famous Uriel da Costa who—to quote Dr. Sonne's illuminating observation—"early accomplished the rehabilitation of the Sadducees, joined them, or better joined the purified Sadducees, the Karaites, in the main question, and thus conjured up this sect once more."<sup>2</sup> But do the contents of Huldricus' extracts coincide with da Costa's views? In his "*Exemplar Humanae Vitae*," da Costa has, indeed, rejected all revealed religion as well as the notion of the "Life of Hereafter," and, implicitly, resurrection, in favour of "natural law."<sup>3</sup> But this work represents the last stage of da Costa's spiritual evolution, in which there were many intermediary phases. The views expressed in Huldricus' extracts may thus well represent an early transitory phase. It is, in fact, characteristic that the author of the extracts rejects Jesus' (*i.e.*, the Christian) conception of resurrection as a "natural" event<sup>4</sup> and adopts the view that resurrection is due to God.

The meaning of the latter statement becomes clear in the light of da Costa's explanation of the resurrection of the dead accomplished by Elijah, contained in his tract against the immortality of the soul. In this case, da Costa argues, God gave, through an act of grace, a new spirit to the dead body.<sup>5</sup> Da Costa has thus reached a clear notion of "natural causes" and has arrested the movement of his thought at the intellectual position of the "double truth," so predominant in the later Middle Ages and the Renaissance, by admitting the coexistence, as well as the neat separation, of the "natural" and the "supernatural." The next step from this position was to drop the "supernatural" altogether.

I suggest that the exact date of this transitory phase in da Costa's thought can be fixed owing to the presence in Huldricus' extracts of a curious "motif." Spanish Jews before the expulsion advanced, under the onslaught of violent anti-Semitic propaganda, a plea to be exonerated from responsibility for Jesus' death because they came to Spain before Jesus was born. Da Costa, according to

<sup>1</sup> It may suffice to mention the activities of Isaac of Troki, the author of *Hizzuq 'Eminah*, and of his disciples and successors.

<sup>2</sup> *JQR.*, N.S. xxii (1931/32), p. 283.

<sup>3</sup> See GEBHARDT's edition, 1922, pp. 119-121.

<sup>4</sup> I am at a loss to understand to what particular Christian doctrine this statement refers.

<sup>5</sup> See the extracts of DA COSTA's tract in SAMUEL DA SILVA's *Tratado da Immortalidade*, reprinted in GEBHARDT, p. 50, lines 29-30. The similarity of the views expressed in HULDRICUS' extracts and in DA COSTA's tract is strong evidence that their author is the same person.



Huldricus' extracts, makes a similar plea, that the "Karaites" to whom he professes to belong are not guilty of Jesus' death. Such a plea has sense only if advanced before a Christian audience. Now, we know from the "Exemplar," that da Costa was accused before the Christian magistrate in Amsterdam of subverting the Christian religion and that he composed a tract (libellum) in his own defence.<sup>1</sup> It is therefore very likely that the "Epistola," from which Huldricus quoted the extracts, was part of this tract, composed probably in 1624.<sup>2</sup>

But here we run up against a difficulty. Huldricus states that the "Epistola" purported to have been written "at the time of the famous Anan ben Chanan," and it would seem unreasonable to assume that da Costa composed his defence in the guise of a fabricated letter by Anan, the reputed founder of Karaism. I should like to suggest, however, that Huldricus has fallen into an error and has wrongly identified Anan ben Chanan with the founder of Karaism. The name of the founder was, in fact, Anan ben David; and, I suggest, the name "Anan ben Chanan" was a pseudonym adopted by da Costa for this tract.<sup>3</sup>

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<sup>1</sup> See GEBHARDT's edition, p. 109.

<sup>2</sup> In this year da Costa was released from prison on bail. See GEBHARDT, p. 184.

<sup>3</sup> It is known, in fact, that da Costa used pseudonyms. See SONNE, *op. cit.*, p. 265.

HULDRICUS' extracts have prompted the author of an article entitled *A propos du Karaïsme et des textes de la Mer Morte*, recently published in *Vetus Testamentum* II, 343ff., to assert that HULDRICUS remarked that Christians and Karaites have something in common. The author further maintains that the Letter from which HULDRICUS derived his extracts was written by Karaites, and although he admits that the Letter may be apocryphal, he nevertheless thinks that it reflects the spirit of the Karaite milieu from which it originated. All this is stated in face of HULDRICUS' explicit declaration that the "Letter" was written by a Rabbanite Jew and its contents are "fictitious Karaite." It is only fair to say that the author of the article does not mention HULDRICUS' declaration. He further commits himself in the course of the article (p. 348) to the following statement: "N'oublions pas que la Geniza de laquelle provient 'l'Ecrit de Damas' a été trouvée dans une kenassa karaïte et que les documents de cette Geniza sont, soit karaïtes, soit en liaison étroite avec le Karaïsme." The facts are that the synagogue in Fostat which contained the Genizah was not Karaite and that the overwhelming bulk of the Genizah material is not Karaite nor has any relation with Karaism.

# CURRENT LITERATURE

Z. HAR-ZAHAV, דקדוק הלשון העברית. (Hebrew Grammar). Vol. I (Historical Introduction). Pp. 200. Vol. II (Phonetics), Part I. Pp. 239. Tel Aviv, 1951.

This is the first Hebrew grammar to be written on the vast scale of academic grammars of classical and some modern languages. I understand that it was completed in the 'thirties and that the author (who is now over eighty) was compelled to reduce its size greatly in order to make its publication possible. Nevertheless, it is still on a generous scale. The author finds space to tell us about *all* the languages and races of the world, to develop a theory of race and language, to list *all* people who have ever written about Hebrew grammar, etc. This would be excellent if the information thus given were reliable and up to date. Unfortunately, the author does not seem to have kept up with the methods of linguistic science even to the 'thirties. He devotes long discussions to the sound of the Hebrew letters, but does so without any regard for modern phonetics. His approach to grammar is essentially medieval, with trappings of the nineteenth century. Nothing could be more characteristic than the list of *hiddushim* (an untranslatable word belonging to the sphere of talmudic *pilpul*) at the beginning of Vol. II. In consequence, the grammar often fails to distinguish between things as they are (or were) and as they should in the author's view be (or have been). With modern literary Hebrew the author is, as both his own style and his remarks show, most dissatisfied, and he evidently believes that it is still possible to re-create the language from its foundations.

These strictures by no means imply that the grammar is worth-

less. Far from it. A great number of sound and new observations is to be found throughout its pages, and the author has taken great trouble in collecting lists of examples on numerous points which will be found most useful. The expert will be delighted with many things, but the book should be read only by the expert, who will be able to sort out the grain from the chaff. It is not a book to be given into the hands of students.

The reviewer seriously doubts whether the time has yet come for grammars of this type. Only one period of our language has been thoroughly investigated, the language of the Bible. Even here, the field of syntax is still not satisfactorily treated, and the standard grammars fail to describe adequately the differences between the language of earlier and later books. For the language of the Tannaitic age we have an excellent practical description in Professor Segal's English and Hebrew grammars, but much work has still to be done. The work of M. Gottstein, reviewed later in this Journal, fills another important gap, but vast stretches of literary activity and linguistic development have so far been hardly touched. In particular, we possess no grammar of modern Hebrew based on a study of modern authors. So far, the grammarian is still legislating on the basis of biblical rules, modified somewhat by concessions to imperfectly observed later usage. A great deal of spade work has still to be done in order to write even (as Har-Zahav intended) a grammar of the language "from its childhood until the time it ceased to be spoken," let alone one which would include the later periods, whose importance for present-day usage is often no less than that of biblical and mishnaic usage.

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